UNITED NATIONS

CRC

Convention on the Rights of the Child

Distr.
GENERAL

CRC/C/65/Add.6
17 August 1998

ENGLISH
Original: SPANISH

COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Periodic reports of States parties due in 1997

Addendum

MEXICO */ **/

[14 January 1998]

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*/ For the initial report of the Government of Mexico, see document CRC/C/3/Add.11; for its consideration by the Committee, see documents CRC/C/SR.106 and 107.

**/ The annexes may be consulted in the Secretariat's files.

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 15	3
II.	MEASURES TAKEN BY THE GOVERNMENT TO BRING FEDERAL AND STATE LEGISLATION FULLY INTO LINE WITH THE PROVISIONS OF THE CONVENTION	16 - 78	5
III.	INFORMATION ON THE CONCRETE EFFECTS OF THE MEASURES TAKEN BY THE GOVERNMENT IN FULFILMENT OF THE PROVISIONS OF THE CONVENTION	79 - 105	17
IV.	ALLOCATION OF RESOURCES FOR CHILDREN	106 - 131	23
V.	CHILDREN IN ESPECIALLY DIFFICULT CIRCUMSTANCES	132 - 384	26
VI.	REPORTS OF ILL-TREATMENT, ABUSE AND VIOLENCE AGAINST CHILDREN	385 - 390	82
VII.	PUBLICIZING AND PROMOTION OF THE CONVENTION	391 - 400	83

I. INTRODUCTION

1. As a State party to the Convention on the Rights of the Child, Mexico submits to the Committee on the Rights of the Child its second periodic report under article 44 of that multilateral instrument, in accordance with the recommendations made to the Government of Mexico by the Committee at its session in January 1994. The present report includes updated information and information additional to that submitted in 1994 in the initial report.

2. In this report the Government of Mexico emphasises six issues of great importance for Mexican children and for the present juncture in Mexico's life as a nation:

- Measures taken by the Government to bring federal and state legislation fully into line with the provisions of the Convention;
- Information about the concrete effects of the measures taken by the Government in fulfilment of the provisions of the Convention;
- Allocation of resources for children;
- Children in especially difficult circumstances;
- Reports of maltreatment, abuse and violence against children;
- Publicizing and promoting the Convention.

3. Mexico is a nation made up largely of children: for virtually the whole of the twentieth century it has maintained a structure in which two thirds of the total population is aged under 18.

4. Mexico's present position, with its accumulated deficits, unfavourable economic situation, and other emerging phenomena of vulnerability, dictates that the Government's assistance programmes must be one of the basic components of its social policy and be transformed into a strategy to facilitate the integration of vulnerable groups in development.

5. Mexico's social policy includes a constant quest for the well-being, development and survival of the child population. The National Action Programme for Children (PNA) is thus a cornerstone of this policy, which seeks to ensure that both children and women of childbearing age will enjoy better expectations and welfare conditions.

6. The PNA is an attempt to make an impact on the conditions which affect children's opportunities of development: it therefore specifies a number of measures to improve the standards of education, health and basic sanitation, and measures for children in especially difficult circumstances. In order to attain this goal, all the institutions members of the National Action Committee for Children have been enjoined to redouble their efforts and work together and without remission to ensure a coordinated and effective policy.

7. Mexico has done exemplary work for its children in fulfilment of the commitments undertaken at the World Summit for Children, reaching ahead of schedule important targets set in the first national action programme. However, the challenge now is to maintain these achievements and exceed them, especially in the areas and regions where the geographic and cultural conditions and the low population density render the comprehensive development of communities difficult.

Relevant demographic factors

8. According to figures of the National Population Council, the latest census, in 1995, indicated a total population of 91.6 million, 50.4 per cent female and 49.5 per cent male.

9. For that same year, the under-19 population was estimated at 47 per cent of the total, breaking down into the following five-year age groups: 0-4 years, 25.8 per cent; 5-9 years, 25.5 per cent; 10-14 years, 24.9 per cent; and 15-19 years, 23.8 per cent.

10. For programming purposes it is important to bear in mind that, according to the information contained in the National Population Programme 1995-2000, the number of children of preschool age shows negative growth, while the population of school age is growing at a rate close to zero.

11. Furthermore, on the basis of an analysis of the female population, it is calculated that 35 per cent of females are girls aged under 15, 52.4 per cent women aged 15 to 49, and 12.6 per cent women aged over 50. Women of childbearing age (15 to 49) make up 26.4 per cent of the total population.

12. In 1995 it was estimated that the gross birth rate was 25.1 per 1,000 inhabitants. There has thus been a large decline in the gross fertility rate over the past three decades, but the rate of decline slowed between 1984 and 1994: in 1994 it was 2.9.

13. Attention must be drawn to the size of the country's adolescent population, both in numbers and in social and cultural terms. Roughly a fifth of Mexico's population are adolescents (15,967,374). This group includes young people aged 12 to 19; 49 per cent of them are male and 50.4 per cent female.

14. Of the population aged 12 to 14 in 1990, 90 per cent were attending school, 7 per cent were economically active, and 3 per cent were kept at home. In the 15-19 age group, 27 per cent were students, 30 per cent economically active, and 43 per cent at home. With regard to the illiteracy and school-enrolment rates among young people, in 1990 only 9 per cent of persons aged 18 and 19 were taking some kind of course in this connection.

15. One point of particular interest is the number of adolescent girls with children: in 1990, 10.8 per cent of girls aged 12 to 19 had at least one live birth. Births to women aged under 20 accounted for 15.7 per cent of all births, and 12 per cent of the total fertility rate was attributed to adolescents. The relative proportion of this adolescent fertility rate in the total rate is higher among groups with little education, mostly living in rural areas.

II. MEASURES TAKEN BY THE GOVERNMENT TO BRING FEDERAL AND STATE LEGISLATION FULLY INTO LINE WITH THE PROVISIONS OF THE CONVENTION

16. Since Mexico is a State party to the Convention on the Rights of the Child, which was signed in 1989, approved by the Chamber of Senators of the Congress of the Union on 19 June 1990, and published in the Diario Oficial de la Federación on 31 July 1990, in accordance with article 133 of the Constitution, the provisions of the Convention have been duly invested with the status of fundamental law.

National public consultation on exercise of the rights of the child

17. In this context and against this background Mexico carried out a national consultation on exercise of the rights of the child; this produced an overview of the situation of children in the Mexico of today and prompted a review of the need to update the current legal system in order to provide a more appropriate regulatory framework to ensure children's full enjoyment of their rights and guarantees through implementation of a package of reforms.

18. Following a visit by a group of children to members of the Chamber of Deputies in April 1995, the various parliamentary groupings in the Lower Chamber reached agreement on the need to evaluate the regulatory framework governing social and governmental action for the integral development of the family, with a view to promoting draft legislation to guarantee and render practicable children's access to food, health, social security, recreation and justice, and expand the social guarantees available to children.

19. Working together, the Committee on Social Development, the Committee on Governance and Constitutional Affairs, the Committee on Human Rights, and the Committee on Information, Administration and Complaints of the Chamber of Deputies reviewed the existing legal system in so far as it affected the development and protection of children; they carried out the necessary research and consultations and set up a subcommittee to study the rights of the child of a transitional nature. This subcommittee was made up of representatives of all the political parties and of the Committee on Human Rights, the Committee on Civic Participation, the Committee on Social Development, and the Committee on Information, Administration and Complaints; its purpose was to address, supervise and monitor matters connected with children and their rights.

20. This subcommittee had the following powers:

- To conduct a national consultation to study and propose mechanisms and measures to ensure that due attention is given to the problems of children and the exercise of their rights; this consultation was plural, public and open;
- To produce a general analysis of the situation of the current legislation affecting Mexican children in matters of health, education, employment, justice, sports, tourism and cultural expression; and
- To conduct the necessary studies and research with a view to making proposals to the relevant authorities for the establishment, or

modification, of rules and procedures for dealing flexibly and promptly with questions relating to children and the full enjoyment of their rights.

21. In April, May and June 1996, the Chamber of Deputies conducted the first national public consultation on the exercise of the rights of the child by means of regional forums held throughout the country. This consultation brought to light errors and deficiencies in the current legislation and marked a step in the direction of more participatory democracy, which in turn led to the proposal of changes and additions to the legislation protecting children.

22. Some 8,500 citizens took an active part in this exercise and produced 500 proposals, which have come to make up a legislative package of 16 addenda and four amendments to various laws and regulations of common and federal scope whose provisions are designed to provide substantial protection for children's rights.

23. One significant feature of this national consultation was the participation of children who wanted to solve their own problems and those of their fellows and the participation of women; this brought to light matters which had not been considered previously, fleshing out the proposals and transforming them into practical tools for solving children's problems. Young students from various levels of secondary, higher-secondary and higher education also made an important contribution by analysing the problems of children in Mexico and putting forward possible solutions.

24. The national consultation led to the formulation of draft proposals and legislation to improve the situation of children in Mexico. The aims of the consultation were to:

- Carry out a comprehensive review of the current legal system with respect to children's development and protection and promote projects to give children full exercise of their social rights and guarantees;
- Make a general analysis of current legislation with a view to proposing amendments;
- Provide an institutional means of responding to the concerns of the various social sectors with a view to establishing consensus agreements on measures to help children;
- Compile, organize and systematize proposals on administrative aspects of children's services for submission to the authorities with suggestions for their implementation; and
- Provide guidance for the policies of the Government and the social sector in connection with the formulation, introduction and operation of programmes for children.

Current legislation

25. With respect to the legislation on children currently in force, the proposals agreed on the need for the protection of the fundamental rights of children to be duly guaranteed in the Constitution of the United Mexican States.

26. Thus, the Federal Constitution firstly and the state constitutions secondly are called upon to incorporate specifically in their sections on individual guarantees the rights of children to a decent life and to the full and harmonious development of their personality in the family, school, society and institutions, and to be protected from all forms of neglect, negligent treatment, injury, violence, abuse or exploitation.

27. Emphasis was given to the priority which the law must accord to children by reason of their very nature and to the special protection which must be provided for children deprived of a family environment, belonging to an indigenous minority, or suffering some physical or mental disability.

28. It was repeatedly stressed in this connection that children's close relationship with the institutions which make up the family, school, society and the State constitutes the space, context and system within which children should exercise and enjoy or be deprived of their rights.

29. The following proposals were made in this area:

- To standardize legislation at the national level to set the age of criminal responsibility at 18 years;
- To bring together in a single piece of legislation all the existing regulations on the rights of the child;
- To establish community programmes to publicize the rights of the child;
- To review and amend criminal legislation in order to increase the penalties imposed on adults who use children or cause children to be used in the commission of crimes;
- To introduce measures to prevent the dissemination through the mass media of products which harm the physical or mental integrity of children;
- To wage open war against child prostitution and pornography;
- To increase the penalties imposed on persons who maltreat or injure or make any kind of attack on the physical or mental integrity of children, in particular rape and other sex crimes, and to provide assistance for families with the care and rehabilitation of children victims of crimes;
- To recommend that the public prosecutors of the states and the Federal District maintain detailed monitoring of crimes against children and

that public prosecution offices specializing in children's affairs should be established in states where they do not yet exist;

- To recommend that the police and military forces should avoid using violence against minors;

- To amend the Criminal Code with respect to the Code for the Federal District in common matters and for the whole country in federal matters, increasing the penalties imposed on any person who encourages, facilitates, incites or uses minors in connection with the commission of unlawful acts, and incorporating in the relevant legislation the provisions of the Declaration of and the Convention on the Rights of the Child;

- To establish in the frontier region a system which brings together the various institutions responsible for the protection of children;

- To conduct mass media campaigns against the maltreatment of children and to adopt legislation on the mental abuse of children;

- To characterize the ill-treatment of children as a crime meriting criminal penalties and to introduce heavier penalties for persons who abduct children, elevating such acts to the level of federal offence;

- To sign international agreements for the exchange of information with a view to establishing a child's whereabouts;

- To bring the legislation of the states on the treatment of juvenile offenders into line with the federal legislation;

- To reduce the red tape in the legal system to enable it to operate more flexibly in protecting the rights of the child, and to coordinate and harmonize the work of the public administration and the social and private sectors in providing comprehensive services for children; and

- To invite colleges of lawyers and other professional organizations to promote measures to improve the treatment of juvenile offenders.

Health

30. Emphasis was given to the need to guarantee children's right to curative and preventive treatment before birth and during infancy and adolescence. Reference was also made to food as an inherent right of the child necessarily requiring the coordination of efforts to provide nutritional advice for parents and children.

31. In particular, the proposals stressed the urgent need for action to improve the mental health of children to enable them to cope positively and naturally with the processes of growth and development, resolving existential conflicts through social intercourse, education, play, sports and other recreational activities, and avoiding despair, boredom, idleness and bad habits.

32. In the case of children who are disabled, neglected or victims of abuse, the proposal is to introduce regulations and measures to facilitate the most effective possible coordination of health institutions; this will eventually extend to educational institutions and the judicial system.

Education

33. The proposals agree on the need to upgrade the vocational training of teachers and expand the content of curricula as a response to the circumstances and challenges of modern society, giving urgent attention to building up the role played by schools in children's lives and providing the training to enable them to acquire concepts, attitudes and modes of behaviour better suited to current and future needs.

34. The aim is to ensure that during their schooling children acquire a knowledge of their rights, so that they can seek these rights from the family, the school and society. The most important suggested additions to school curricula include the mental health of children, civic values, health education, recreation, and training for work, which are posited as essential elements of education to enable children to exercise their rights.

Children in especially difficult circumstances

35. This topic gave rise to considerable debate. Emphasis was given to special education, which should be provided as a right for disabled, orphaned, homeless, indigent, indigenous, rural and migrant children, so that they have access to programmes tailored to their specific living conditions and are helped to avoid dropping out of school by means of compulsory job training workshops to inform them about ways of finding jobs or placing their own-account employment on a sounder footing.

36. Prominent among the proposed assistance are the expansion or consolidation of school meals services, school medical services providing diagnoses, preventive medicine, nutritional training and curative treatment, vocational guidance, experience of working life, and reaffirmation through education of children's female and male roles.

37. A number of proposals stressed the urgent need to establish machinery for improving the school mental health services so that children can take responsibility for the development of their personalities and for their social integration.

Employment

38. The concerns expressed about labour legislation and the employment of children in the informal economy stress the fact that many children need to work - a situation accentuated by the country's current economic crisis - so that there is an urgent need to adopt legislation to protect child labour as far as possible.

39. Other proposals agreed on the legal obligation to regulate child labour for the benefit of children by reducing working hours and occupational hazards, and to introduce measures to upgrade the contractual safeguards and benefits. One

proposal was that all working children should be entitled to continue their schooling in the existing formal and informal education systems, with a corresponding obligation for employers to facilitate such education. Reference was also made to the need to harmonize the relevant national and international legislation.

Indigenous children

40. It was pointed out that civil society is now broadly aware of the problems of indigenous children. A culture of respect for indigenous rights is being developed in Mexico.

41. In many cases indigenous children are affected by the problems of the cultures in which they live; they therefore deserve special attention from official agencies and civil society to help them to lead lives beset with fewer obstacles and to develop to the full.

42. The following proposals were made for indigenous children at the national consultation:

- Expansion of the cover of the health services, establishment of hostels for indigenous students, and expansion of the education services;
- Expansion of the bilingual and bicultural school system in areas of indigenous population;
- Adoption of legislation to make the teaching of local languages mandatory in preschool, primary and secondary education in all the indigenous regions of the country;
- Creation of indigenous language academies and provision of incentives for teachers of indigenous languages;
- Implementation of employment and training programmes in indigenous communities;
- Creation of indigenous councils to take part in the formulation of governmental plans and programmes for children;
- Adoption of specific legislation to protect the rights of indigenous children and guarantee their equality, following the holding of a national forum to discuss exclusively issues affecting indigenous children;
- Provision of legal assistance, expert reports, and translators in legal proceedings involving children; and
- Implementation of ILO Convention No. 169.

The family

43. With regard to the family environment, various arguments and proposals were put forward with a view to strengthening the family unit and the relations among its members, thus enhancing the possibility of improving the quality of life and integral development of children.

44. Attention was drawn to the need to introduce legislation to establish a family code setting out the obligations and rights of the couple with regard to their family and unifying the various pieces of legislation on children and the family in accordance with the Convention on the Rights of the Child. There was also a discussion of the need for legislation to increase the severity of the penalties in cases of violence in the family.

Women's rights

45. With regard to the relationship between women's rights and children's rights, there was a major debate and important proposals were made about working women, for they have to cope with double the number of problems faced by men: in addition to sharing men's responsibilities in the workplace, women are obliged as mothers to shoulder a second set of responsibilities from pregnancy onward.

46. The Government of Mexico provided extensive and detailed information on this subject in its fourth periodic report in connection with the Convention on the Elimination of All Forms of Discrimination against Women, submitted in March 1997.

47. In response to all these proposals and requests from society put forward by its members participating in the national consultation, the Committee on Information, Administration and Complaints of the Chamber of Deputies drew up a number of bills and addenda to existing legislation which were submitted to the Chamber for its consideration.

Addenda and amendments to various pieces of legislation to improve the protection of the rights of the child (annex I)

48. In view of the characteristic vulnerability of children and the inherent limits to their self-determination, thousands of boys and girls in Mexico stand in need of physical, mental and social security, to be provided on a formal and constantly upgraded basis through a perfectible and flexible legal framework which can be adapted to the circumstances of historical change.

49. The Constitution of the United Mexican States, specifically articles 1, 30, 40, 80, 14, 15, 16 and 18, establishes guarantees for children, as do the organic provisions of articles 30, 31, 34, 73, 89, 103, 107, 121, 123 and 130, and the Civil and Criminal Codes for the Federal District in common matters and for the whole Republic in federal matters, the local substantive and adjectival rules of law, the Federal Labour Act, the Commercial Code, the Social Security Act, the Act governing the Social Security and Services Institute for State Workers, the Amparo Act, the General Education Act, the General Health Act, the National Social Security Act, the Act governing the treatment of juvenile offenders for the Federal District in common matters and for the whole Republic in federal matters, the Federal District Disabled Persons Act, and the Act

governing assistance and prevention in connection with violence in the family, together with various local laws, organic laws, decrees, regulations and agreements. There is in fact a total of 80 pieces of legislation of this kind providing for protection of the direct or indirect rights of Mexican minors.

50. This amended legislation will facilitate the provision of priority and urgent attention for the increasing numbers of neglected children, cases of malnutrition, crimes against children, school drop-outs, street children, children compelled to work, child day-workers and migrant children, as well as for pregnant adolescents, drug addicts, victims of family and juvenile violence, sexual abuse, prostitution and pornography, and children born with AIDS - all problems stemming basically from the emergence of new phenomena of broken homes and dysfunctional families and of imbalances and aggression within the family.

51. Institutions - international and national, public and private - have produced many proposals for tackling the need for specific legal and political measures to ensure the most effective protection of the rights of the child.

52. The package of additions and amendments is intended to have an impact in vital areas by supplementing and improving the existing legislation and reinforcing the fundamental principles and the legal tradition of the protection of children.

53. The following are the most important of the proposed changes:

- To amend article 4 of the Constitution so as to expand the duties of parents with respect to the protection of their children and the responsibilities of public institutions with respect to children deprived of a family environment. The amendment proposes that this article should protect the rights of children to be born and to grow and develop in a family and to receive and enjoy through the family care, respect, affection, shelter, maintenance, education and recreation. The aim is to secure fuller and clearer recognition of the legal protection of the rights of the child;

- To establish the right of an adoptive parent or parents to give a surname and forenames to the adopted child and to maintain the confidentiality of the legal act;

- To inform and instruct the parties to a marriage clearly, at the time of its celebration, about the rights and obligations which they are acquiring with respect to their children and to each other, and to introduce an addendum providing penalties for culpable failure to provide food for their children;

- To raise the general age of majority to 18 years, in accordance with article 34 of the Constitution;

- To establish that in civil matters the ill-treatment of children is by its nature unlawful, as it is in criminal matters;

- To establish the obligation of a doctor to make a report to the competent official of the Public Prosecutor's Office when in the

course of his work he attends a child exhibiting some damage or injury which may indicate that the child has been subjected to some kind of physical, psycho-affective or sexual ill-treatment;

- To establish the obligation of teachers in the course of their teaching duties to care for and maintain the physical, psychological and social integrity of the children in their charge and to report any injury exhibited by their pupils to the competent authority;

- To ensure respect for the constitutional rights of juvenile offenders to be informed about the reason for their arrest and to have the assistance of a defence counsel or other trusted representative, and to establish that children aged under 11 who have committed an offence shall receive social assistance;

- To regulate the issue of publications which directly or indirectly denigrate or in some other way harm boys or girls by displaying them as sex objects, and to update the penalties which may be imposed on persons committing offences against public morality in contravention of the Printed Materials Act, as well as the penalties which may be imposed on persons colluding in the commission of such acts; and

- To establish that mass advertising which preys upon children shall be liable to legal sanction, to regulate and limit the advertising and mass distribution of sexual stimulants, and to ensure that broadcasting stations comply with the law with respect to their schedules and programme content.

Initiative for a general act governing the Office of the Procurator for the Defence of the Rights of the Child (annex II)

54. By virtue of their status children require special protection to enable them to realize themselves fully as human beings and thus prepare themselves to contribute to the development of the society in which they live; accordingly, the legal system has to promote through its precepts and institutions conditions in which children can grow up in an environment of protection and participation in family, school and social life.

55. Mexico's extensive legislation on the protection of children's rights is intended to establish a structural connection between the specific problems of children and the legal framework and institutional means of solving these problems.

56. This project has been formulated in order to guarantee both the legal priority which children deserve and require and the effective protection of their rights, thus offering them a worthy life, satisfaction of their needs and the full and harmonious development of their personalities, protecting them against all forms of ill-treatment, injury, harm, aggression, abuse or exploitation, and preventing them from falling victim to any form of discrimination, violence, cruelty or oppression as a result of any act or omission by third persons affecting their rights.

57. The purpose of the initiative for a general act governing the Office of the Procurator for the Defence of the Rights of the Child is to promote and protect children's rights by providing effective guarantees of legal equity and certainty in proceedings in which children are involved for whatever reason.

58. Since it is difficult for children themselves to submit complaints, requests or reports concerning infringement of their rights, and in order to ensure that the existing general legal system shall apply with all its consequences, the initiative proposes the creation of an agency which will intervene and act of its own right as stipulated by law, facilitate the fair and prompt dispensation of justice, both in private cases and in cases of public offences, appear as representative or defender before jurisdictional and administrative authorities or social agencies, and conclude agreements with governmental agencies and institutions within the limits of its competence.

59. The legal system will find in the Office of the Procurator for the Defence of the Rights of the Child a suitable tool for promoting and protecting the rights of Mexican children, who will have recourse to an institution designated to act on their behalf and represent them in order to give effect to the law.

60. This legislation is considered to be in the public interest and for the good of society and shall be enforced throughout the Republic. It recognizes the constitutional guarantees and the rights protected by international treaties or conventions to which Mexico is a party, as well as ordinary domestic law, accumulated legal precedents, and the applicable regulations, agreements and decrees. This new Office will be established as a decentralized agency of the public administration, with legal personality and its own funding.

61. The most problematic social phenomena to which the Office will have to give its attention are the break-up of the relationship between couples, domestic violence, social tensions, the neglect of children, malnutrition, school drop-outs, street children, children compelled to work or emigrate, adolescent pregnancies, drug addiction, the sexual abuse, traffic and sale of children, child prostitution, and the use of children in pornography.

62. This proposal ensures priority for children in the family, the community and society, stipulates that all minors under the age of 18 shall be regarded as children, and introduces arrangements to enable any citizen to report to the Office any fact which may be interpreted as infringing the rights of the child.

63. The proposal also recognizes the powers which the law invests in the National System for the Integral Development of the Family (DIF), stipulating that the Office shall facilitate the work of the DIF system, particularly in cases of neglect when psychological and social treatment is required.

Code on the Protection of the Rights of the Child

64. The Code or Regulatory Act on the Protection of the Rights of the Child was proposed by a multi-party coalition made up of representatives of the Institutional Revolutionary Party, the Democratic Revolution Party, the National Action Party and the Labour Party, and of the National Human Rights Commission, the Human Rights Commission of the Federal District, the Department of the Federal District, the national DIF system, the Mexican Social Security

Institute, the Office of the Attorney-General of the Republic, the Procurator's Office of the Federal District, the Ministry of the Interior, the Ministry of Public Education, the Ministry of Health, the Ministry of Labour and Social Welfare, and a number of NGOs such as COMEXANI, CREP and ENLACE.

65. The proposed Code is to be applied throughout the Republic and is designed to regulate the support for the protection of children provided by federal, state and municipal public institutions, on the basis that anyone under the age of 18 is a child. It recognizes as rights of the child the rights to life, physical and mental integrity, health, a name and nationality, freedom of association, decent housing, an acceptable standard of living, public, lay and free education, and freedom of thought and religion.

66. The draft legislation spells out the obligations of the State towards children, including the earmarking of 15 per cent of GDP exclusively for programmes for children, and the creation of a national council for the protection of children, drawing its membership from the three powers of the Union and from civil society, to determine the national strategies for children's programmes and budgets and to take vigorous action to combat the illicit transfer of children abroad. It also contains detailed provisions on the rights to health and education and a section on the rights and duties of parents.

National System for the Integral Development of the Family

67. The DIF system participated in the national public consultation on the protection of the rights of the child convened by the Committee on Information, Administration and Complaints of the Chamber of Deputies in May-June 1996.

68. The national consultation emphasized the need to upgrade the DIF Procurator's Office for the Defence of Juveniles and the Family to the status of a decentralized public agency, which would be invested with the relevant powers, as envisaged in the proposal for a general act governing the Office described above (annex III).

69. Attention must also be drawn to the creation in the Senate of the Republic of a Committee for the Protection of the Rights of the Child, with which the DIF system maintains permanent contacts in order to promote, on the basis of the proposed legislation resulting from the national consultation, a general act on the rights of the child which will unify all the relevant legal provisions and put them into coherent form. The six parliamentary committees which have held working meetings to advance legislation on the protection of children deserve mention in this connection.

70. With regard to the protection of children deprived of their family environment and the question of adoption, the national and state DIF systems, as the principal international adoption authorities, have encouraged the reform of the Civil Code and Code of Civil Procedure with a view to the incorporation of full adoption.

71. To date, 15 federative entities have recognized full adoption in their codes, and in the case of the Federal District the DIF initiative was approved by the Assembly of Representatives of the Federal District and sent to the

Chamber of Senators on 10 December 1996. This initiative will shortly be discussed and approved by the Senate of the Republic (annex V).

National Human Rights Commission

72. The programme on women's, children's and family matters of the National Human Rights Commission seeks to secure effective responses to complaints of violation of the human rights of women and children, while at the same time working for the introduction of legislative and administrative changes which will help to eliminate such violations. To this end, various publicity and information activities are carried out in attempt to change the cultural patterns which allow discrimination against women and abusive treatment of women and children.

73. During the six-month period June-December 1996 the National Commission completed its collation and comparison of federal and local legislation concerning the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. This exercise has revealed the extent to which national, federal and state laws are consistent with the provisions of these conventions.

74. On the basis of the findings of this collation proposals were prepared for the necessary changes in the federal and state constitutions, social assistance, education, health and electoral legislation, and civil, criminal and family codes.

75. The purpose of these proposals is to ensure that the law provides better protection for women's rights on the basis of gender equality, and for children's rights on the basis of the principle of the best interests of the child; the main proposals deal with the rights to a life free of violence, an identity from birth, and protection within the family, and with the prevention of neglect.

76. Through this work the National Commission has contributed to the fulfilment of the Mexican State's obligation to apply the international conventions in question. The proposals were delivered to the President of the Republic, to the Head of Government of the Federal District, and to the 31 state governors, as well as to the presidents of the legislative congresses. The National Commission is now monitoring the replies of each state to the proposals. The texts of the collation of federal laws and the proposals will be found in annex V.

77. A study on the changes needed in civil, family and criminal legislation was also produced and published, in response to the phenomenon of domestic violence. The following are its main conclusions:

- In civil matters, procedures must be introduced with all necessary speed to protect victims of domestic violence;

- In criminal matters, domestic violence must be characterized as a crime and punished, depending on the seriousness of the violence and its frequency, with imprisonment or other penalties; and

- A health and social assistance programme must be established to check the phenomenon of violence in the family.

78. As mentioned earlier, the National Commission has done extensive research on the conformity of Mexico's legislation with international human rights law. This work included the production of a document entitled "The Mexican system of juvenile criminal justice and the United Nations doctrine on the integral protection of the child", which stresses the need to bring Mexico's legislation into line with the international requirements in this matter, as set out in the Convention on the Rights of the Child.

III. INFORMATION ON THE CONCRETE EFFECTS OF THE MEASURES TAKEN BY THE GOVERNMENT IN FULFILMENT OF THE PROVISIONS OF THE CONVENTION

National Programme of Action for Children

79. As pointed out in the initial report of the Government of Mexico, in order to discharge the commitments undertaken at the 1990 World Summit for Children, in 1991 Mexico set up an intersectoral and interinstitutional National Commission which, following the necessary process of consultation and coordination, drafted the 1991 National Programme of Action for Children (PNA), which was evaluated on four occasions in the period 1991-1994.

80. On the basis that the advances achieved in Mexico are doubtless a reflection of the measures taken in each region of the country, the National Action Committee for Children promoted the drafting of state action plans, in which an attempt has been made to set targets consistent with the needs of the states and municipalities to reduce the deficits identified in each action plan and to propose implementation strategies. Furthermore, specific measures have been introduced in each federative entity to improve the survival, protection and development of its children, in accordance with its natural, social and historical characteristics.

81. Most of the federative entities now have their action programmes for children. However, the vital need remains to continue to encourage, within the PNA framework, the implementation of the state and municipal programmes for children in such a way as to adapt the programming better to the realities of the local situation.

82. Considerable progress has been made in fulfilment of the commitments undertaken at the World Summit for Children and it is reflected in the significant reduction in infant and preschool mortality. For example, in the period 1980-1990 infant mortality declined by 40.1 per cent, and by 26.8 per cent in the three-year period 1990-1993 alone; the drop was about 43 per cent for the 1-4 age group.

83. This remarkable decline in infant and preschool mortality is due to the prevention of the deaths of some 65,000 under-fives between 1990 and 1993. The structure of mortality by cause and age group underwent big changes, with a consequent shift in the weight of these causes in overall mortality.

84. Since the initiation of the PNA in 1991 it has always been thought that it should not be static, for both the formulation of the Programme and its implementation are part of a process of building and working constantly for the attainment of the targets. In this connection, the supervision, monitoring and periodic evaluation of the PNA are necessary exercises if the goals, targets and operational strategies are to be adjusted, endorsed and/or corrected in the light of the speed and intensity of the advance towards the targets.

85. It is considered essential to reformulate the Programme to keep it relevant to the current situation. For this purpose, and as a means of promoting and catalysing the Programme's implementation in a coordinated manner between the participating sectors and institutions, the new National Action Committee for Children was established in January 1995; it is made up of the heads of the Ministries of Health and Public Education, the national DIF system, and the National Water Commission; the overall coordination of the National Committee for the 1995-2000 programme is the responsibility of the Ministry of Health.

86. The National Programme of Action for Children 1995-2000, initiated by the Federal Executive in October 1995, is part of the social development policy undertaken by the Government of the Republic for this period; its central objective is to enhance the survival, protection and development of children. It is also an operational tool for application of the Convention on the Rights of the Child and in particular of the commitments entered into at the World Summit for Children, when seven priority targets and 26 secondary objectives and targets were set.

87. The global targets are as follows:

- Reduction by a half, between 1990 and 2000, of the mortality rates among children aged under 12 months and under five years;
- Reduction by a half, between 1990 and 2000, of the maternal mortality rate;
- Reduction by half, between 1990 and 2000, of the rates of severe and moderate malnutrition among under-fives;
- Universal access to drinking water and hygienic means of disposal of excreta;
- Universal access, by 2000, to basic education, and completion of primary education by at least 80 per cent of children of school age;
- Reduction of the adult illiteracy rate to at least half the 1990 level, with special emphasis on women's literacy;
- Improvement of the protection of children in especially difficult circumstances.

The secondary objectives and targets are as follows:

88. Women's health and education

- Special attention to the health and nutrition of girls, pregnant women and breastfeeding mothers;
- Access by all couples to information and services to prevent excessively early, closely spaced, excessively late and excessively numerous pregnancies;
- Access by all pregnant women to antenatal care and attendance by trained personnel for delivery; access to advisory services in the event of high-risk pregnancy or an obstetrical emergency;
- Universal access to primary education, with special emphasis on girls, and accelerated literacy programmes for women.

89. Nutrition

- Reduction by 50 per cent in the 1990 rates of severe and moderate malnutrition among under-fives;
- Reduction in the rate of low birth-weight (2.5kg or less) by at least 50 per cent;
- Reduction by a third in the 1990 rates of iron-deficiency anaemia among women;
- Virtual elimination of iodine-deficiency diseases;
- Virtual elimination of vitamin-A deficiency and its consequences, including blindness;
- Guarantee that all mothers breastfeed their babies during the first four to six months and that they continue breastfeeding together with food supplements well into the second year;
- Institutionalization of the support for children's growth and its periodic monitoring; and
- Provision of information and support services to increase food production and guarantee the family food supply.

90. Child health

- Eradication of poliomyelitis by 2000;
- Eradication of neonatal tetanus by 1995;
- Reduction by 95 per cent of deaths due to measles and by 95 per cent of cases of measles by 1995;
- Maintenance of a high level of immunization, covering at least 90 per cent of children aged under 12 months by 2000, against diphtheria,

whooping cough, tetanus, measles, poliomyelitis and tuberculosis, and against tetanus in women of childbearing age;

- Reduction by 50 per cent of deaths due to diarrhoea among children aged under five in 1994 and by 25 per cent of the incidence of diarrhoea; and

- Reduction by a third of deaths due to acute respiratory infections among children aged under five in 1994.

91. Water and sanitation

- Universal access to drinking water; and

- Universal access to hygienic means of disposal of excreta.

92. Basic education

- Expansion of development activities in primary education, including appropriate low-cost interventions in the family and community;

- Universal access to basic education and completion of primary education for at least 80 per cent of children of school age, in school and non-school systems, with comparable levels of achievement and reduction of the disparities in the education of boys and girls;

- Reduction of the adult illiteracy rate to at least half the 1990 level, with emphasis on women's literacy; and

- Enhanced acquisition by individuals and families of the knowledge, skills and values necessary for a better life.

93. Children in especially difficult circumstances

- Improved protection for such children and elimination of the fundamental causes of their situation.

94. The objectives and targets adopted at the World Summit for Children are closely inter-related, so that the attainment of one target necessarily has an effect on the others. From this standpoint, the institutions involved in the implementation of the PNA share the same goal - in this case the improvement of the survival, protection and development of children - and they assume joint responsibility. Coordinated measures are carried out, in a process which should advance simultaneously and harmoniously so that the efforts have a cumulative vector effect and advantage can be taken of the synergetic effect of the impact which each measure generates in isolation.

95. It is also necessary to promote measures to cut the disparities between regions by encouraging the formulation and implementation of state and municipal action programmes for children as part of a great national effort involving society in the operation of the PNA.

96. The 1995-2000 PNA accepts the targets set for 2000 but has added other components in the light of the country's situation and the Government's National Development Plan, which is designed to meet the basic needs of the social groups and regions most severely marginalized from the benefits of progress.

97. Mexico's action programme derived from the World Summit has proved its effectiveness and has succeeded in securing the political support of the various levels of government, the participation of broad sectors of society, and the coordinated involvement in pursuit of the same goals of various agencies of the public administration, principally those responsible for health, education, environmental health, and social assistance.

98. The success of the PNA is due to the establishment of well-defined targets, for this has facilitated its periodic evaluation, in 1996 for example, at the end of the first year of the current programme. This exercise coincided with the evaluation of the progress made during the first half of the present decade which Mexico recently submitted to the United Nations General Assembly on behalf of the whole of Latin America and the Caribbean. The Executive Director of UNICEF said in this connection that over the past five years this region of the world has seen more concrete action and more verifiable and positive results for children than in any comparable period of history. The point is even more telling when it is remembered that this progress has been made despite the fact that many countries, including Mexico, have been living through difficult years for their economies.

99. The progress made towards attainment of the objectives and targets of the PNA in women's health and education, nutrition, child health, water and sanitation, and basic education are described in detail in the third periodic report of the Government of Mexico in connection with the International Covenant on Economic, Social and Cultural Rights, submitted in June last year.

100. However, some of the targets have not been approached with the desired speed: the reduction of maternal mortality; information about and access to family planning services for some groups and sectors of the population; and the provision of piped water and sewage services in thinly populated rural areas and marginalized urban areas. The Government is therefore convinced that the quality of education must be improved, that the various modalities of initial education must be consolidated, that the level of illiteracy is still unacceptably high, especially among women, and that the effort to secure equity in the provision of education services must be continued. The Government is also worried about the number of children subjected to physical and emotional violence and the number of neglected children.

101. The fight against these evils and other phenomena requires integrated programmes and more effective anti-poverty measures. There is no ground for satisfaction, despite the advances: the effort must be redoubled, both to maintain the successes already achieved and to implement the necessary measures to ensure that all the targets agreed at the World Summit are attained by 2000. Mexico is still a country of transition and contrasts: in order to maintain the successes and above all to extend them to the most marginalized areas and groups, the effort must be greater than the one made so far.

National Human Rights Commission

102. The Council of the National Human Rights Commission (CNDH) agreed to create on 5 July 1993 a programme on women's issues; a year later, since some of the main problems of women are also problems of children and occur in the family environment, the programme's mandate was enlarged to cover the violation of the human rights of children and other members of the family.

103. The purposes of the CNDH programme on women's issues, children and the family are as follows:

- Study, protection, promotion and dissemination of the rights possessed by women by reason of their gender, the rights accorded to children and other vulnerable members of the family, and the rights of the family as a group;

- Provision of effective responses to complaints of infringement of the rights possessed by women by reason of their female status or of the rights of children and other vulnerable members of the family;

- Promotion of changes in legislation and administrative practices which facilitate or constitute such infringement; and

- Publicity and information to alter the cultural patterns which sustain both the discrimination against women and the violence against women, children and other vulnerable members of the family.

104. In order to achieve the purposes for which this programme was created by CNDH, an attempt has been made to strengthen the support network for women and children whose human rights have been violated - a group of non-governmental and governmental bodies. The network's objectives include:

- Provision of guidance and support in person and by telephone to solve problems not falling within the remit of CNDH;

- Provision of legal advice and psychological counselling; and

- Establishment of legal machinery for making representations to the competent authorities or public servants to do everything possible to combat the violation of the human rights of women and children.

105. There are 130 organizations in the network: 19 state human rights commissions, 34 government agencies, and 77 NGOs. The directory of the organizations in the network has been updated and distributed. Between January 1996 and September 1997 the network dealt with 130 requests for assistance for children; the commonest types of problem were: domestic violence (65); lack of food (23); neglect (13); sexual abuse (10); and sexual harassment (5).

IV. ALLOCATION OF RESOURCES FOR CHILDREN

106. By ratifying the Convention on the Rights of the Child, Mexico committed itself to carrying out a series of policies to benefit and protect children, giving emphasis to measures to improve health, education and diet, and to provide greater protection for children in especially difficult circumstances, including street children. All this is to be achieved by promoting and consolidating various programmes operated by institutions in the public sector and by pooling of efforts.

107. Mexico has made efforts in recent decades to improve the people's living conditions; these efforts have produced higher standards of education and health, and a life expectancy at birth of 72 years; however, the Government acknowledges that the progress has been uneven between the country's different regions and social groups.

108. Mexican society is currently faced with disparities and lack of equity; in these circumstances it is witnessing the persistence of old problems and the emergence of new ones which are felt more acutely in the vulnerable sectors of the population and have a particularly severe impact on children: poverty, violence, migration, reduction of employment and family incomes, insecurity, drug addition, and new diseases; these problems can lead to social and family disintegration and require immediate attention from the Government.

109. During the current administration the Government has made a big effort to allocate major resources to the social welfare and anti-poverty components of the federal budget; for example, the budget of the basic education incentives programme, operated by the Ministry of Social Development (SEDESOL) in accordance with the regulations contained in the Single Operating Manual of Branch 26 entitled "Combatting poverty" is located in the Municipal Social Development Fund. The resources total 706,577.31 (thousand pesos), contributed from federal and state sources. Of this total budget, 498.78 (thousand pesos) is allocated for street children.

110. In addition to the considerable volume of federal and state resources allocated to the implementation of the National Programme of Action for Children and the state action programmes, technical and financial assistance is received from a number of international bodies; here the work and resources delivered by UNICEF deserve special mention.

Coordination of the basic education incentives programme

111. This programme continues to provide comprehensive grants for children from families living in poverty and extreme poverty, who are always likely to drop out of primary school. It addresses primarily the factors external to the education system which influence a decision to drop out. When these extremely needy children are incorporated in the programme they have a better chance of completing their primary schooling; their physical and mental development is also put on a sounder footing and they are encouraged to take part in work of benefit to the community.

112. The benefits include the provision of economic incentives 12 months a year and for the duration of the grant, a monthly food supplement in the form of the

basic family food ration distributed by DICONSA, and preventive and curative medical treatment at least three times a year, together with nutritional monitoring and health promotion activities provided through the National Health System.

113. The beneficiary children are enrolled in public primary schools, in some of the CONAFE community courses and in indigenous school hostels. The programme is decentralized, and the state and municipal governments, together with the school community and the municipal development councils, are responsible for implementation, as well as being involved in the monitoring work carried out by the school system.

114. It must be pointed out that, in contrast to the situation in the interior of the country and owing mainly to its urban characteristics and size, the Federal District has witnessed in recent years an increase in the numbers of children who find the means of satisfying some of their basic needs in the street and are therefore more likely to drop out of school, not to mention the fact that the schools in the Federal District do not always function as a focus of social and community life, which makes it difficult to work more effectively with the parents of these children.

115. In order to cater for this group in Mexico City, in 1993 the programme's coordinators initiated a "Street children" project designed to improve the living conditions of this group by encouraging social participation, self-management and community development based on a model of direct intervention with the children and their families, regarded as active agents with the capacity to organize themselves for action and make representations to the appropriate authorities for satisfaction of their needs.

116. From this perspective, the social workers involved in the activities carried out with these children play a fundamental role as facilitators, always acting in conformity with the decisions taken at meetings by consensus.

Targets and investment

117. In 1993, 547,615 grants were awarded for the whole country in 28,520 primary schools, and the cover continued to grow in subsequent years; at present the targets are 769,734 children (748,093 with comprehensive grants and 21,641 receiving meals and school equipment) enrolled in 40,228 schools and representing 46 per cent of the national total, in 2,371 municipalities, i.e. 97 per cent of the country. According to the CONAPO marginalization figures, the programme reaches 99 per cent of municipalities with very high and 97 per cent with high marginalization.

118. Six hundred of the recipient children are catered for in the Federal District under the "Street children" project, which operates in 12 communities through eight branches in areas classified as moderately and extremely marginalized, with few job opportunities and children living in the street. Three groups of street children are reached by the programme: children from poor urban households, those who work in the street, and those who live in the street.

119. In the first half of 1997, 4,442,754 food rations were distributed and 748,093 medical checks were programmed for the whole country.

Impact on the education indicators

120. At the national level there has been a positive impact on the education indicators, which were certainly boosted by the basic education incentives programme, and the children in receipt of grants have remained in primary school and in most cases have improved their performance. The official statistics show that in 1991, the year in which the programme started, only 57 out of every 100 children beginning their primary education managed to complete it during the following six years, whereas in 1995 the figure was 64 per 100, which means that there was an increase of 12 per cent in the number of children completing primary in the intervening years. Over the same period the drop-out rate fell from 4.6 to 3.4 per cent, and the failure rate also fell by almost two percentage points from 9.8 to 8.1 per cent.

121. The findings of the monitoring of the programme, carried out in coordination with the SEDESOL offices in several of the country's federative entities, indicate significant advances in the work with children requiring additional support to prevent them from dropping out, so that an impact has been made on the objectives and targets of the World Summit for Children.

122. Information from 10 states for the period 1994-1996 shows that, out of a total of 193,000 beneficiary pupils, 97 per cent passed and 3 per cent failed. By comparison, in the period 1991-1994 in 20 states, out of a total of 168,000 grant-holders, 94 per cent graduated from their year and 6 per cent were not promoted. This shows that grant-holders improved their performance in recent years and that the failure rate has moved downwards. In both the above periods and in almost all cases the failure rate for the children assisted under the programme was lower than the average reported at the state level.

123. With regard to the results obtained by grant-holders between 1994 and 1996, figures were reported from five states indicating that 74 per cent of the 115,400 beneficiaries scored a mark of 8 or higher, a remarkable achievement bearing in mind the very poor circumstances in which they live and the fact that most of them were potential drop-outs. The grants have therefore provided an incentive for them to remain in school and indeed improve their performance.

124. With regard to the likelihood of grant-holders remaining in the programme, there are 14 monitoring reports from 1994 to 1996 which show that, out of a sample of 256,000 children, 91 per cent retained their grants and 9 per cent were replaced for some reason, the commonest being change of domicile and/or school, failure or an average mark of under 8; this means that the assistance is successful in helping the children to continue in school.

125. According to reports from the SEDESOL state offices, in the 1994-1995 school year some 73,000 grant-holders graduated; this significant datum indicates that one of the programme's basic objectives is being achieved.

Impact of the comprehensive grant

126. The cash grants are used to meet the direct and indirect costs of education (clothing, footwear, equipment). For many families this the most highly appreciated component of the grant; in some areas of extreme poverty it represents the main and most regular source of family income. Its award facilitates the organization of committees and beneficiaries and frequent contacts with local authorities and institutions.

127. The food ration has been well received. It is adapted to the local dietary habits, and the families do consume most of the products. The system has facilitated the distribution of items produced by small enterprises in the social sector. Its award has also encouraged the organization of committees and beneficiaries and frequent contacts with local authorities and institutions.

128. There are some problems connected with the poor quality of the products and their storage. In recent years the number of products has dropped sharply owing to the higher prices for basic necessities. The resources allocated to the food ration programme have been increased in 10 states either by cutting the cash benefit or increasing the budget authorized for food support.

129. The periodicity of the health checks for beneficiary children has been increased considerably. Second and third level medical care has also been provided, although to a lesser extent. The problems detected are connected with the lack of infrastructure, doctors, instruments and medicines, and referral and counter-referral, as well as with the regulations of the sector's institutions. This component is the most sensitive to local conditions and characteristics.

130. The programme has brought about changes of attitude in the school community and with respect to the role of fathers in the schooling of their children; it has facilitated social supervision and organization around activities of benefit to the community. As a rule, the grant-holders have improved their appearance and their school attendance, punctuality and marks.

131. This information illustrates the impact achieved by the activities of the basic education incentives programme operated by SEDESOL as well as some of the operational difficulties which have come up. However, as a result of social organization and participation the necessary representations are being made to the relevant institutions with a view to correcting the faults and consolidating the achievements.

V. CHILDREN IN ESPECIALLY DIFFICULT CIRCUMSTANCES

132. Understanding of the problem of children in especially difficult circumstances is of great social relevance in view of the inter-relationship between phenomena resulting from modern lifestyles and those caused by social deficits, poverty and Mexico's current economic, political and social situation.

133. The population of children in especially difficult circumstances includes indigenous children, children of itinerant farm workers (day-workers), children who end up as street children because of a need to supplement the family income or because they have fled from ill-treatment, migrant children who cross the

northern frontier illegally and are subjected to discrimination and abuse, juvenile offenders, drug addicts, and victims of sexual exploitation, not to mention the growing problem in the states on the southern frontier of refugee children arriving without documents from Guatemala, El Salvador, Honduras and Nicaragua.

134. Lastly, there are the neglected children, orphans and victims of abuse in the family who live in public and private shelters, the disabled whose condition denies them opportunities of normal education and the special care which they need, and children infected with AIDS.

135. In the National Development Plan 1995-2000 the Government includes among the purposes and priorities of its social strategy the provision and expansion of opportunities for individual and community improvement in accordance with the principles of equity, justice and full exercise of the constitutional rights and guarantees, together with improved welfare and quality of life for Mexicans and, as a fundamental proposition, the reduction of poverty and social exclusion; all of this is consistent with the commitments undertaken by Mexico at the World Summit for Children and with the full implementation of the Convention on the Rights of the Child as the ethical framework for children's protection and development.

136. On this basis the Government reformulated the terms under which the National Programme of Action for Children 1995-2000 was drawn up and is being executed with regard to the most vulnerable children. This approach has led to the establishment of criteria for the implementation of specific measures tailored to the differing characteristics of the children in this situation, and an attempt is being made to organize these measures as a comprehensive strategy addressing at one and the same time health, education, food, nutrition and the administration of justice in order to ensure that the advances made in some of these areas are not wasted through failure to act or shortcomings in others.

137. An attempt is being made on the basis of this strategy to target the efforts and resources so that they will benefit the children who need them most in areas where the problem is most widespread and complex, to secure better coordination of the institutional programmes to take advantage of their complementarity and guide the projects in a single direction with a single purpose, to address all aspects of the problem on a multidisciplinary basis, and increasingly to incorporate the initiatives, efforts and resources devoted to this cause by groups and sectors of civil society and the international community.

138. In this context the institutional programmes represent a basic response to the acute problems suffered by children; however, one of the main challenges is to encourage a process which addresses the vulnerable circumstances of all these groups of children in order to secure their genuine social and individual integration. One essential requirement is to win the effective and determined support of society. In this connection the government agencies are vigorously encouraging the commitment and participation of the populace by incorporating the activities of institutions of higher education, NGOs and private-sector associations.

139. It is necessary fundamentally to strengthen all the preventive measures to tackle the problems of children in especially difficult circumstances at their roots. It is necessary to take up the challenge of building a more comprehensive, integrated and coordinated social and welfare policy which will address the most urgent needs and expectations in this area and lead to the design, formulation and implementation of a clear social policy for children.

140. In particular, the measures aimed at children in especially difficult circumstances are designed to help to correct the economic, social and family circumstances which impede the development of many children and young people in Mexico.

141. In this context the classification of the children into 11 priority groups is a useful tool of institutional regulation and intervention, for it facilitates the provision of specialized care for children in vulnerable situations. However, this classification should not be seen as a rigid or static system, since in reality many of the problems confronting the children converge, overlap or merge; for example, migrant children often become street children, are subjected to sexual abuse or fall into drug addiction; and repatriated, ill-treated and abused children become institutionalized in most cases.

142. There is therefore a need for strategies of concerted social action and interinstitutional coordination to harmonise the measures and render them more comprehensive in order to respond more effectively to the complicated web of problems affecting these children.

143. The needs of children in especially difficult circumstances are therefore addressed on a concerted basis and with the commitment of the various public agencies dealing with the problems of this most vulnerable group: the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of Labour and Social Welfare, the Ministry of Social Development, the national DIF system, the Office of the Attorney General of the Republic, the Department of the Federal District, the Procurator's Office of the Federal District/Children's Council of the Federal District, the National Institute for Indigenous Affairs, the juvenile integration centres, and the Mexican Commission for Aid to Refugees.

144. The responsibility of government institutions for providing assistance and finding solutions to these problems is stated in the National Programme of Action for Children 1995-2000, which also contains a commitment to incorporate private and social associations and groups which share the concern to provide care for the most vulnerable children. An attempt is thus being made to strengthen in society a culture of respect and support for the full exercise of children's rights, in particular those of the most vulnerable groups.

145. The general objective of the Government's action in this area is to promote changes in the living conditions of children in especially difficult circumstances and to improve the protection of this group by means of institutional and social measures based on comprehensive care, with emphasis on measures to prevent the spread of this phenomenon.

146. Acting through the National Action Committee for Children, the Government has formulated the following strategies for attainment of the general objective:

- To encourage the incorporation of children in especially difficult circumstances in the substantive activities of the social welfare policy, thus ensuring their effective access to the health, education, recreational, cultural and sports programmes, and to the administration of justice, all of which facilitate their integrated development;

- To reinforce and diversify the machinery for the negotiation and coordination of measures with the agencies and institutions of the public, private and social sectors with a view to expanding the cover of the services, making best use of the resources, and improving the services for this population group;

- To promote social participation in the implementation of programmes designed to tackle and prevent the problems experienced by the children and to encourage the populace to share the responsibility for the identification and provision of alternative care options which satisfy the priority needs and expectations of the various groups of children;

- To formulate information and awareness campaigns aimed at the public at large and addressing the most typical problems of these groups of children in order to encourage changes in the attitudes and behaviour of society with respect to children's needs;

- To encourage respect for the status and dignity of the children and support for the exercise of their rights, transforming this respect and support into everyday institutional, family and civic habits; and

- To incorporate the children and their families as active and responsible agents in the programmes designed for their benefit.

Child workers

147. The Constitution of the United Mexican States and the Federal Labour Act constitute a legal framework which defines clearly the concept of labour relation and the circumstances and legal conditions under which children may work. They also define child workers as adolescents aged over 14 and under 18 who render their services on a personal basis for an employer.

148. Nobody is unaware of the necessity which induces children to venture into the informal market of the economy, in which there are no legal labour relations and the authorities are not competent to intervene.

149. The legal definition covers only minors who engage in formal work, and the labour legislation does not apply to minors who work independently or those who earn their living as street vendors, car washers, windscreen washers, etc., or to other minors not covered by the labour laws derived from article 123.A of the Constitution since they are not subject to a labour relation from the legal standpoint.

150. The labour legislation is of general application throughout the Republic, and verification of its observance is the responsibility of the federative entities, except when the labour relation operates specifically within one of the various branches of industry or business activities mentioned in article 123, section XXXI.A, of the Constitution and in article 527 of the Federal Labour Act; in these cases the application of the legislation is the responsibility of the federal authorities.

151. The Ministry of Labour and Social Welfare, acting through the Federal Labour Inspection Office, is the agency of the Federal Executive responsible for supervising compliance with the regulations protecting formal work by children. In accordance with the Ministry's rules of procedure, the Office has two functions closely affecting child labour: the administrative function of issuing permits and certificates, and the substantive function of monitoring conditions of work. This latter function is performed by the federal labour offices in the federative entities.

152. The issue of permits for minors to work and the inspection of working conditions are the responsibility of the labour departments or offices of the governments of the states and the Federal District. They exercise their functions independently of the central authorities, but they are governed by the same regulations - established in the Federal Labour Act.

153. Both the 1917 Constitution and the legislators in 1931 and 1970 imposed severe restrictions on child labour, for two purposes: to prevent employers from exploiting children as cheap and compliant labour, in contrast with the labour furnished by adult workers; and to ensure that the work performed by children should not harm their health and normal physical and educational development.

154. Section II of paragraph A of article 123 of the Constitution prohibits children under 16 from performing unhealthy or hazardous work, night work in industry, and any work after 10 p.m. Article 175 of the Federal Labour Act bans night work in industry both for children under 16 and for those under 18.

155. This article specifically prohibits children under 16 from performing the following work: work in premises supplying intoxicating liquors for immediate consumption; work which may affect their morals or good habits; work involving travel, except when authorized by the Labour Inspectorate; underground or submarine work; hazardous or unhealthy work; work which is beyond their strength or may impede or retard their normal physical development; and work in non-industrial establishments after 10 p.m.

156. In accordance with this legislation, the Ministry has established the following requirements for authorizing children over 14 but under 16 to take a job:

- Completion of their secondary education when possible, except when their studies are incompatible with the work to be performed (FLA, art. 22);

- Written consent of their parents or legal representative for them to work;

- Satisfactory medical check to confirm their capacity to work.

157. Children aged over 16 but under 18 may offer their services freely; in this case the Federal Labour Inspectorate issues a certificate confirming their capacity to work and specifying the prohibition on their employment in night work in industry (FLA, art.2).

158. The types of work open to children fall into three categories:

- Work in the branches of industry and business activities under federal jurisdiction indicated in article 123, paragraph A, section XXXI, of the Constitution and article 527 of the Federal Labour Act;

- Formal work in an activity not covered by the preceding paragraph: work in warehouses, service enterprises, shops, etc., when the labour laws are enforced by the labour authorities of the federative entities; and

- Work performed on a personal and direct basis in the informal sector without any worker-employer relation. In this case the benefits and protective measures established by the Federal Labour Act do not apply.

159. The enterprises which employ minors in work under the federal labour jurisdiction, under the permanent supervision of the Ministry and its federal offices, are the most developed enterprises in each federative entity and do not usually employ workers aged under 18.

160. According to information gathered by the Federal Labour Inspection Office in the Federal District, in the first half of 1995 applications were received from 1,844 adolescents: 334 of them aged over 14 but under 16 obtained permits to work in federal enterprises; 661 aged over 16 but under 18 obtained certificates of their physical capacity to work; and guidance was given to a further 849 who did not satisfy the legal requirements for working in enterprises under federal jurisdiction. Out of the 995 minors who obtained permits or certificates, 4.02 per cent were currently enrolled in primary education, 73 per cent had not yet completed secondary, and 22.81 per cent were studying at the higher-secondary level.

161. It was found that the total of 1,120 children aged under 18 who obtained permits or certificates to work in the Federal District and its metropolitan area during the first half of 1994 used their wages in the following ways, on average:

- Family expenditure: 80 per cent of wages used to meet the family's primary needs (rent, food and clothing);

- School equipment and transport costs: 15 per cent; and

- Secondary expenditure: 5 per cent used for such items as entertainment and excursions.

162. With regard to federal labour inspection throughout the Republic to monitor the working, hygiene and safety conditions of child workers, 2,392 workplace visits were made in the first half of 1995, 1,441 of them in the Federal District and its metropolitan area and 951 in the federative entities.

163. The purpose of the Government in the National Action Programme for Children (PNA) 1995-2000, with respect to child workers regarded as children in especially difficult circumstances, is to provide specific protection and supervision of the work of children aged over 14 but under 16 by issuing the permits required by the Federal Labour Act, verifying that all children aged under 18 who wish to work have a medical certificate of their capacity to perform the work in question, and ordering the required periodic medical checks.

164. This purpose is based on article 123, paragraph A, of the Constitution, the Federal Labour Act, and the relevant international labour conventions, and is in compliance with the Convention on the Rights of the Child, article 32 of which establishes the obligation of the State to protect children from performing any work likely to harm their health, education or development, and to provide for minimum ages for admission to employment and regulate the conditions thereof.

165. The PNA sets the following priority goals:

- When they so require, to incorporate child workers in an appropriate manner in the country's productive life and to help them to attain higher personal goals;

- To offer guidance to child workers through the Federal Labour Inspection Office to inform them about the rights accorded to them by law;

- To encourage work training and the employment and re-employment of young persons, and to issue permits and certificates of capacity to work, subject to satisfaction of the legal requirements;

- To strengthen the capacity of the inspection services to detect employers who use child labour in contravention of the legal requirements;

- To promote the establishment of specific training programmes for children who work; and

- To ensure specific and permanent monitoring of the working conditions and labour rights of child workers through the Federal Labour Inspectorate.

166. The following strategies and policies have been formulated as means of attaining these goals:

- In all inspections carried out in enterprises under federal jurisdiction to verify the presence of children to whom permits and certificates have been issued and to ensure that the employers maintain the special inspection records for each child;

- To negotiate with the state labour authorities, through the federal labour offices, the standardization of the criteria for issue of certificates of capacity to work and of the inspection programmes to identify employers using child labour in contravention of the law;

- To coordinate the formulation and implementation of an information campaign on the special conditions governing the employment of children, and to conduct research into the social, economic, psychological and family factors which induce children to work;

- To encourage children to acquire training and to improve themselves from the physical, intellectual, cultural, educational and employment standpoints;

- To upgrade the training of inspectors by providing courses on child labour;

- To inform guidance and counselling personnel about the rights of child workers in the various federative entities and about the welfare services provided by other agencies;

- To unify the criteria of the legal regime applicable to child workers and to establish a system for exchange of information with the labour authorities of the federative entities through the federal labour offices;

- To conduct research on child labour in various enterprises under federal jurisdiction, on behalf of the federal labour offices and the Labour Standards Office, providing feedback from their data banks in order to produce thorough analyses of the socio-economic and cultural profiles of child workers with a view to joint diagnosis of the origins of this phenomenon; and

- To collaborate in the various institutional programmes of the Federal Government which operate measures for the benefit of child workers.

167. The monitoring and evaluation of this part of the PNA is the responsibility of the Ministry of Labour and Social Welfare; in its 1996 evaluation the Ministry reported that it had systematically verified compliance with the labour regulations governing work performed by children aged 14 to 18 who furnish their services in enterprises and establishments under federal jurisdiction. However, it has been found that relatively little child labour is used in this type of business and that in fact child labour is concentrated in the informal sector of the economy.

Street children

168. The problem of street children has grown and worsened in the country's urban areas; the main reason is the lack of alternative activities for the economic maintenance of the children's families, but in many cases they are seeking refuge from the domestic violence which is becoming increasing common in Mexican households.

169. The street invites children to join an extensive network of exchange which may result in their abandoning school and family. The street is a place of conflict, risk and physical and moral danger for all the children who have to use it as an alternative place for earning a living and as a frame of reference.

170. It is therefore necessary to intensify measures to protect children against neglect, ill-treatment and exploitation and thus prevent, as far as possible, irreversible damage which will destroy any expectation of future development. Street children are classified in three groups:

- Children who carry out subsistence activities in the street to make a contribution to the family income but who maintain contact with their family or part of it, although attending school only irregularly;
- Children who maintain only occasional contact with their family or some member of it, spend the nights in the street and carry out subsistence activities there. They are more likely to exhibit antisocial behaviour or suffer exploitation; most have abandoned any thought of school. (It should be pointed out that both these groups of children work in the informal sector of the economy; a child who spends most of his time in the street is growing up under the same conditions as a child who lives in the street.); and
- Children exposed to less risk, who live in poor families or are subjected to extreme pressures or domestic violence which induce them to leave the family and seek other surroundings, income, emotional relationships, and opportunities.

171. Attention must be drawn to the work and other contributions of organized civil society in this area of care. Various government institutions coordinate their activities with NGO programmes in a quest for more effective means of helping street children, increasing the cover of the services, and enriching the care provided.

172. Two studies were conducted to determine the numbers and characteristics of the country's street children, one by the national DIF system and the other by the Department of the Federal District. The DIF study used a sample of 472 reception areas in 69 municipalities in which the programme for children in especially difficult circumstances (MBCED) operates; the following information is taken from this study:

- The DIF identified 11,580 street children in the 31 states of the Republic, most of them in the northern region of the country (Baja California, Baja California Sur, Sinaloa, Sonora, Chihuahua, Nuevo León and Tamaulipas);
- Of this total, 88 per cent were children working in the street and 12 per cent living there. Their ages ranged between 10 and 18 (81.8 per cent) and 82 per cent were boys;
- 89 per cent of the children had some schooling, but a high percentage had dropped out of school;

- The main reasons for their choice of the street were: to earn money for their families (55 per cent); lack of care from their families (10 per cent); being compelled to work (8 per cent); ill-treatment in the family (7 per cent); school drop-out (6.83 per cent); search for adventure (7 per cent); and several reasons (6 per cent); and

- One of the risks which a child takes when he opts for the street is of acquiring an addiction; the substances used most frequently by the country's street children are tobacco (17.7 per cent), unspecified drugs (5 per cent), and alcohol (3 per cent).

173. The programme for street children began in 1987 and is currently operating in the 31 states of the Republic and in 142 municipalities. In the study Cuidad de México: estudio de los niños de la calle (Mexico City: study of street children) the Department of the Federal District reports that:

- 11,172 street children were identified in the Federal District at 515 meeting points located mainly in the quarters of Cuauhtémoc, Venustiano Carranza, Iztapalapa, Gustavo A. Madera, and Benito Juárez;

- 91 per cent of these children worked in the street and 9 per cent lived there;

- Most of the children were aged between 12 and 17 (75.4 per cent); most of the children aged under six were from indigenous families, and those aged 7 to 13 maintained links with their families;

- 82.5 per cent had some schooling. Illiteracy rates were found to be higher among children living in the street and indigenous children. The most schooling was found among children working in the street and those who had left home after the age of 10. However, the children who attended school had problems of backwardness, failure and drop-out, especially after the third year of primary; 63.4 per cent had dropped out of school;

- The worst standards of health were found among the children living in the street, when there was a strong association with drug addiction and the use of inhalants. Most of the street children exhibited problems of malnutrition and lack of access to suitable and specialized health services; and

- 14 per cent of the children surveyed in Mexico City were addicted to inhalants, and 8.5 per cent to marihuana or unspecified pills.

174. The two studies agree on two main points: with regard to children's rights, ill-treatment is widespread throughout the country, as are cases of children being used and exploited by relatives and other persons, who force them to work for them as vendors of certain goods, and cases of commercial sexual exploitation. At the national level, there is a widespread lack of birth certificates and other documents, the lack of which impedes access to the school system and registration for medical and other services.

175. The Government has set the goal of changing the living conditions of children who live or work in the street by involving institutions, families and communities in an effort to improve the children's development prospects in their own environment and in a context of respect for their rights.

176. In compliance with the Convention on the Rights of the Child, article 39 of which calls for appropriate measures to promote the physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation or abuse, torture or any other form of degrading treatment, the Government has established the following priority goals:

- To guarantee that 100 per cent of the children reached by public or private agencies have access to the minimum health, education and basic sanitation services and that their civil documents will be put in order;

- To introduce regulations on the policies and machinery of public and private agencies working for street children within the framework of the Convention, in order to establish an integrated, homogeneous and uninterrupted service which will facilitate the children's access to the various existing services and programmes for children;

- To eradicate the notion, both in Government and in society, that street children are a problem of public safety, with a view to preventing action by the police and other coercive measures and rejection by the community;

- To take preventive measures to reduce the phenomenon of street children;

- To provide comprehensive services for street children;

- To promote the creation of trusts and other sponsorship arrangements for providing care for street children.

177. In pursuit of these goals an attempt will be made to facilitate the children's access to the various institutional services by adapting them to the children's needs, and to establish at the national level a network of institutions, sharing responsibility with civil society, which will contribute to the provision of care and services for the children and their families in health, education, training, legal assistance and recreation, in the light of the demand from the various groups.

178. Priority will also be given to preventive work and care in the family, in order to improve the family's income and the relations between its members so that it will protect the children and facilitate their development. It has also proved necessary to find a means of strengthening the roles of family members and their links with each other to prevent children who are reintegrated with their family from returning to the street.

179. Lastly, efforts are also being made to find space in the mass media to increase people's awareness, provide them with guidance, and enhance their sense

of responsibility with respect to care for this population group, and to involve families and communities in the programmes for these children.

180. The Government has taken the following measures to attain its goals with respect to street children:

- Adoption of an integrated approach, on the basis of the existing regulations, in order to coordinate the various services and measures;

- Incorporation of the children as active and responsible participants in the measures and programmes run for their benefit;

- Incorporation of groups of street children and their families in the substantive activities carried out under the social welfare policy;

- Reinforcement of the preventive work and care within the family, through programmes and intervention models which furnish comprehensive care within the street children's families and communities of origin;

- Promotion of coordination with the institutions operating programmes of job and on-the-job training;

- Promotion of the exercise of the rights of the child in society, transforming respect for these rights into an everyday habit in the family and community and in institutions, and enhancement of the awareness of the various social actors so that they will provide suitable protection and care for these children and share the responsibility for solving the problem and preventing any kind of police or suppressive activity;

- Establishment of a single system of information in order to produce an up-to-date register of the children cared for by the various institutions, with a view to improving the services, determining the extent of the problem and its geographical dynamics, and coordinating the activities with other agencies;

- Promotion of the coordination of the efforts of the Government and civil society to tackle the problem of street children on a concerted and organized basis;

- Creation of the necessary conditions within public and private institutions and programmes for the children to be able to construct life projects offering an alternative to the street;

- Incorporation of civil society in the programmes and organization of communities in poor districts to carry out measures which promote good relations, expression, integration and the development of activities for the children;

- Promotion of personnel training in the public and private institutions responsible for providing direct services for street children;

- Representations to institutes of higher education to persuade them to include the problems of vulnerable children in their research and study programmes;

- Establishment of a national machinery for coordinating the work of institutions dealing with migrant children, in order to prevent them from turning into street children.

181. The monitoring and evaluation of this part of the PNA are responsibilities of the Subcommittee on Street Children, which evaluates the work done under the MECED programme of the national DIF system, by the Department of the Federal District, and under the basic education incentives programme of the Ministry of Social Development.

182. In 1995 the DIF system carried out measures in 144 municipalities in the 31 states, reaching 14,324 street children, 5,716 marginalized families and 4,585 other families; 744 children were returned to their homes. In 24 of the states assistance is provided for these children through an infrastructure of 52 MECED centres in the form of health, educational support and job training services, as well as recreational activities and practical counselling for children and parents, with a view to strengthening the family bonds. Nineteen trusts and other sponsorship arrangements have been set up as a means of strengthening the programme and increasing the involvement of the community.

183. In addition, the Mexico City authorities, acting through the Office for Protection of Children and Incompetents, provided assistance for 1,726 children, returning 214 to their homes and referring a further 512 to institutions. The Department of the Federal District also carried out a census of street children in 1992, which recorded a total of 11,000 in Mexico City and its metropolitan area. Once the scale of the problem had been determined, the programme proceeded to establish a postgraduate degree course in the Iberoamerican University, under which 300 street teachers were trained in 1995.

184. A third stage has consisted of direct work in the street, which has reached over 3,000 children, offering them medical, psychological, educational, social work, and training services.

185. In 1995 a team was kept on standby to deal with any urgent problems in the street; this work led to the recovery of 124 children. The finalized programme went into action in 1995, with emphasis on prevention and on assistance for indigenous children, child workers, and children aged under six.

186. In 1995 the National Action Committee for Children carried out another census of street children, which produced a total of 13,373; 13 per cent were children living in the street and 87 per cent children working there.

Ill-treated and abused children

187. The ill-treatment of children is one of Mexico's most serious problems and it is found in all social classes: the persons responsible come from all cultural and economic groups. However, although this is one of the commonest legal problems, it is impossible to establish exact figures because many cases are not reported.

188. The records of the competent government institutions reveal only a part of this complicated problem: for example, in 1994 the national DIF system received 1,411 reports in the Federal District, 624 of which were substantiated. In 1995 1,323 reports had been received up to August, and 536 of them were substantiated. The Procurator's Office of the Federal District received 4,500 reports in 1994; up to August 1995 it had received 1,316.

189. The ill-treatment of children has legal, social, family, medical and psychological aspects; the problem is therefore handled by a number of different agencies, such as the DIF system, the Procurator's Office of the Federal District, and the procurator's offices in the federative entities.

190. The institutions dealing with the ill-treatment of children in the national DIF system include the legal offices for the protection of children and the family nation-wide, which have a representative in every municipality; they carry out assistance and preventive measures; criminal proceedings are the responsibility of the prosecutors attached to the state procurator's offices.

191. Permanent coordination is maintained among these agencies in order that the national or state DIF may report to the prosecuting authorities the cases which are brought to its attention. This facilitates the opening of the preliminary investigation of the crime which may have been committed against the child. Depending on the seriousness of the injuries, the parents, guardians or custodians responsible for the ill-treatment may be brought before a criminal court judge, who will initiate proceedings against the accused and supervise them through to the delivery of the sentence, which may include temporary or permanent loss of parental authority.

192. The function of the procurator's offices of the states and the Federal District is to provide effective, efficient and timely protection of the rights of ill-treated children and children in situations of conflict or at risk of harm; they endeavour to have the children returned to the most suitable family and social environment or, if necessary, referred to a public or private institution.

193. The following are the objectives of the National Programme of Action in respect of ill-treated and abused children:

- To provide comprehensive care for children subjected to physical or emotional violence or sexual abuse by deliberate and not accidental commission or omission;

- To reduce or correct the habitual violence inflicted by parents, guardians and other persons on their own children, on other children

or on children in their charge acting either alone or together with other persons;

- To provide comprehensive social assistance for ill-treated children and their families;

- To protect the rights of the child in accordance with the Convention; and

- To promote social awareness of the seriousness of the ill-treatment of children and of the need to report cases to the relevant institutions.

194. In compliance with the Convention, article 19 of which refers to legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, the Government has established the following priority goals:

- To provide comprehensive social assistance services for children in dangerous or violent situations and to improve the quality and volume of such services;

- To counsel and educate parents and the general public and increase their awareness of the consequences for a child's development of maltreatment of any kind;

- To increase the number of specialized units of the Public Prosecutor's Office to deal with children's cases, installing such units in states where they do not already exist and training personnel in operational matters and in the provision of the necessary assistance to these children;

- To consolidate the operation of the children's units of the various institutions and promote the training and professional upgrading of their personnel;

- To monitor the work of the specialized children's investigation units and the activities of the agents of the Public Prosecutor's Office attached to non-criminal jurisdictional organs;

- To establish an institutional network to deal with cases of ill-treatment of children, coordinating their activities with those of the National Human Rights Commission and its counterparts in the states;

- To establish and develop preventive programmes by furnishing information to the general public, and to children in particular, about their right not to be maltreated; and

- To implement the draft legislative reforms in all the states, in order to bring their legislation into line with Mexico's international commitments.

195. The various offices and agencies of the federal and state governments have been pursuing the following strategies and policies for attainment of these goals:

- To determine the problem giving rise to the ill-treatment in each case, in order to provide a suitable medical, psychological, social or legal response;
- To encourage society to participate in the analysis, discussion and formulation of the necessary proposals for preventing and dealing with the problem of maltreatment;
- To update the instructions and manuals required for the proper functioning of the agencies responsible for minors' affairs;
- To provide better premises and administrative supports for the proper functioning of the agencies dealing with this problem;
- To expand the training and further training of the personnel involved in these activities;
- To promote the development of values and self-esteem among parents, guardians and the general public, with a view to securing a better quality of family life and enhancing the development of the child;
- To step up the preventive work in areas with the highest rates of ill-treatment;
- To increase the number of lectures on prevention of maltreatment of children for the staff of public and private institutions;
- To establish a system for coordination with public and private institutions in order to improve the efficiency and effectiveness of the measures for maltreated children;
- To step up the attention given to the mental health of this sector of the population;
- To promote and maintain through the mass media national information and awareness campaigns on prevention;
- To accept reports of ill-treated or neglected children 24 hours a day and 365 days a year by telephone, in writing or in person;
- To investigate every report directly in the child's home; to produce a socio-economic report on the family with a diagnosis of the problem and recommendation of the treatment to be followed; and to hold counselling talks in the child's home to solve the problems at the root of the ill-treatment;
- To establish a system for coordination with private and public institutions in order to improve the effectiveness of the measures taken on behalf of the maltreated child;

- To report substantiated cases to the prosecutor's offices for the defence of juveniles and the family and the procurator's offices of the Federal District and the states, through their specialized units, according to the requirements of the case;

- To provide interdisciplinary services in conjunction with the various institutions dealing with the problem of ill-treated and sexually abused children; and

- To improve the coordination among the procurator's offices of the states and the Federal District, the DIF procurator's offices for the defence of juveniles and the family, and the institutions of the health sector providing care and treatment for the children and their families.

196. The monitoring and evaluation of this component of the PNA is the responsibility of the Subcommittee on Ill-treated and Abused Children; it assesses the action taken to deal with this problem, which is one of the most pernicious of the problems faced by children in Mexico. The measures have been administered by the national DIF system, through its DIF-PREMAN programme, and by the procurator's offices of the Federal District and the states.

197. in 1995 the national and state DIF systems received 15,391 reports of maltreatment of children by telephone, in writing and in person; 11,372 of these reports were substantiated. Physical ill-treatment was commonest (9,710 cases), followed by mental ill-treatment (4,877 cases) and sexual abuse (1,208 cases). Between 1990 and 1995 the national DIF system gave 1,604 talks on preventive of maltreatment, attended by 62,741 persons in DIF centres, schools and hospitals, and in public and private institutions at their request.

198. In November 1995 the DIF, in conjunction with UNICEF and the Procurator's Office of the Federal District, convened a national congress on maltreated children, which led to the formation of the Alliance for Proper Treatment of Children as a means of action for creating a culture of respect and tolerance towards the most vulnerable children and thus promote the legislative reforms required for the full implementation of the Convention on the Rights of the Child.

199. The Procurator's Office of the Federal District works through four specialized units for ill-treated children and incompetents, which carry out the preliminary investigations in conjunction with a multidisciplinary team of professionals to assist the children and their families.

200. Between 1990 and 1995 this Office carried out 11,040 preliminary investigations: 17,907 cases of ill-treatment, 11,453 cases connected with earlier investigations into other offences, and 9,067 cases of sexual abuse.

201. The programme for responding to anonymous telephone reports continued in operation; it deals with reports of physical offences against children and tries to protect the identity of the person making the report, usually a neighbour or relative of the perpetrator, who prefers this method in order to avoid reprisals but wants to ask the Public Prosecutor's Office to initiate an investigation and protect the ill-treated or abused child.

202. The Assembly of Representatives of the Federal District adopted an Act on assistance and prevention of domestic violence, which entered into force in August 1996 (annex VI). The Congress of the Union also discussed and approved a number of reforms to the federal Criminal and Civil Codes and to the Codes of Criminal and Civil Procedure in order to prevent and punish domestic violence; these reforms have not yet entered into force.

203. In response to the problem of children victims of sale and prostitution and children used in pornography, the Government invited the Special Rapporteur on the sale of children, child prostitution and child pornography of the United Nations Commission on Human Rights, Ofelia Calcetas Santos, to make a working visit to Mexico; this visit took place in November 1997. The Special Rapporteur interviewed a number of members of the federal and state governments, particularly officials of agencies responsible for child victims of crimes and abuse such as the national and state DIF systems, the Office of the Attorney-General of the Republic, and the procurator's offices of the Federal District and the states. She also met with local legislators and members of the Chamber of Deputies and the Senate who are concerned about this problem, officials of the Ministry of Tourism, the National AIDS-Prevention Council, and the coordination unit of the National Programme for Women; she was also received by the then Minister for Foreign Affairs, Angel Gurría, and other Foreign Ministry officials.

204. The Special Rapporteur also had working meetings with the national, federal district and state human rights commissions, and with a number of NGOs working in the field of children's rights and assisting child victims of crimes and abuse, both in Mexico City and in the other towns which she visited.

205. During her stay Mrs. Calcetas Santos visited Mexico City as the country's capital and a city of vast size; she also went to the port of Veracruz and the town of Jalapa to learn about the dynamics of a commercial port and the situation of children in a medium-sized Mexican town. Since the tourist areas offer fertile ground for the proliferation of the problem, the Special Rapporteur visited Cancún, an international tourist centre of great importance in Mexico. Lastly, as a follow-up to her visit to the United States of America in 1995, the Special Rapporteur visited the frontier towns of Ciudad Juárez and Tijuana. During these visits she had interviews, in addition to the ones mentioned above, with state and municipal officials responsible for public safety, tourism and migration matters.

206. The visit of the Special Rapporteur was of great importance and utility for the Mexican Government. Her messages for the mass media referred to the need to make the general public aware of the existence of the problem and to address it with very simple measures to prevent its proliferation. She also made very specific recommendations to the state and municipal governments in the light of the regional and local magnitude of the problem. However, the Federal Government will await the report on her visit to Mexico which Mrs. Calcetas Santos is to submit to the fifty-fourth session of the United Nations Commission on Human Rights before formulating a strategy for dealing directly with the problem, especially in regard to its effects on the most vulnerable children.

Child drug addicts

207. In today's Mexico the abuse of drugs has spread to almost all social groups. In view of its origins, scale, seriousness and impact, drug abuse is regarded as a major public health problem. In this context, the emergence of the problem among children is connected with the particular features of their early development in disrupted families and with the pressures of a social environment which is changing at an ever faster rate.

208. Although the problem has not yet acquired in Mexico the alarming proportions found in more industrialized countries, it is tending to increase in magnitude and form.

209. Epidemiological studies indicate that drug consumption begins between the ages of 10 and 18. Children who start taking drugs before the age of 14 mostly use inhalants and are more likely to come for treatment earlier. Conversely, children who start after the age of 14 do so with marihuana and are more likely to be taking two or more drugs and to come for treatment later.

210. In 1991 the national survey on drug use investigated pupils in secondary and higher-secondary education, selecting a sample of 61,779 - 51.8 per cent boys and 47.7 per cent girls. The survey produced the following figures:

- 8.2 per cent had taken drugs (excluding alcohol and tobacco) at some time in their life;
- 4.4 per cent had used drugs in the past year; and
- 2 per cent had used drugs in the month prior to the survey.

211. If drug addiction is to be prevented and treated, consideration must be given to its many different causes, and individual, family and social factors must be addressed in the strategies, policies and measures.

212. Throughout the American continent, juvenile integration centres are the agencies with most experience in dealing with addicts, and they have developed and established a standard approach based on education for health. Today, the Mexican centres have an infrastructure of 54 local out-patient units for prevention and specialized counselling and two in-patient units, 1,100 support personnel, and a network of 6,000 volunteers. Preventive services are provided annually for two million persons and treatment for 10,500 addicts and their families.

213. The national DIF system is active throughout the country with prevention measures and, through the National Mental Health Institute, provides professional treatment backed by assistance, educational and specialized investigation services. The Office of the Attorney-General of the Republic carries out prevention measures.

214. The objective of the National Programme of Action with respect to child drug addicts is to combat and reduce the fundamental causes which lead to substance use and abuse by providing institutional primary-prevention services, treatment and rehabilitation; this furnishes the institutions with an early and

accurate picture of the problem and enables them to mobilize the community to take an active part in combatting it.

215. In compliance with the Convention, article 33 of which provides that children must be protected from the illicit use of narcotic drugs and psychotropic substances and from being used in the illicit production and trafficking of such substances, to which end States parties shall take all appropriate measures, including legislative, administrative, social and educational measures, the following priority goals are proposed:

- To hold meetings and conferences for the general public, schoolchildren, teachers and parents;
- To establish courses offering daily sessions for children, adolescents and adults;
- To provide brief psychological treatment for individuals, families and groups;
- To assist 100 per cent of the municipalities whose population has been identified as at high risk of being affected by drug addiction, with priority given to the most urgent situations, for example in metropolitan areas, ports and frontier towns;
- To guarantee the effectiveness of the treatment services and the recovery of the young patients;
- To secure a gradual but significant decrease in the young population at risk;
- To provide job opportunities and recreational, sports and cultural activities for children and young people at risk, even if they do not have problems of drug dependence;
- To provide counselling for the parents of children in legal difficulty and to refer child addicts to the specialized institutions;
- To improve the coordination with public and private institutions to establish a system for the identification, referral and early treatment of cases, and to organize information campaigns;
- To maintain and/or strengthen the preventive measures aimed both at children at risk and at their parents; and
- To provide a full range of curative treatment, from out-patient consultation to hospitalization.

216. These goals are being pursued within the framework of the following strategies and policies, which are the responsibility of the Children's Council, the Department of the Federal District, the national DIF system, the juvenile integration centres, the Ministry of Health, the Attorney-General of the Republic, and others:

(a) Prevention

Prevention is regarded as the best means of tackling drug addiction; the main prevention strategy is education for health, which has three operational stages: information, counselling, and training.

Information

- To make the public aware of the size of the problem and of its causes, and to demythologise drug use;
- To motivate the community to take an active part in the treatment of drug addiction;
- To give publicity to the institutional services offering primary prevention, treatment and rehabilitation; and
- To furnish information to schoolchildren, families, workers and the general public;

Counselling

- To bring about a change of attitude in the people with a view to their acceptance of the problem of drug addition as a health problem;
- To promote awareness of the importance of physical and mental health;
- To motivate specific groups to take part in health-promotion activities;
- To provide counselling for groups of children, adolescents and parents of similar age and circumstances;

Training

- To provide the population with theoretical and practical information to encourage their active participation in addiction-prevention activities;
- To promote the participation and support of specific groups such as physical and mental health workers and multipliers of prevention messages;
- Training for key groups and persons to turn them into multipliers of activities which have an impact in their locality.

(b) Curative treatment

The aim is to assess each patient in order to determine his physical, mental and social needs. This stage uses out-patient consultations for diagnosis, choice of treatment and rehabilitation, and hospitalization for

detoxification, control of withdrawal symptoms, crisis intervention, and individual, group and family psychotherapy.

(c) Community participation

This is achieved by means of interinstitutional coordination and voluntary work involving the authorities, specialists, civil organizations, teachers, social workers, opinion formers, and the general public.

217. The monitoring and evaluation of this part of the PNA are responsibilities of the Subcommittee on Child Addicts, which pointed out in its 1996 report that the juvenile integration centres take an integrated approach which addresses health, rehabilitation, prevention, scientific research, and training in treatment of drug addiction, with the participation of civil society regarded as a fundamental component of the work with this problem.

218. At present primary-prevention services are being furnished to two million persons and rehabilitation treatment to over 20,000. The juvenile integration centres have an infrastructure of 54 local out-patient units and two in-patient units, located at strategic points throughout the country. They have more than 1,110 employees and 8,000 volunteers.

219. Between 1990 and 1995, 5,867,303 children were assisted under the programme with preventive information, 272,900 with counselling, and 37,876 with treatment. The Office of the Attorney-General of the Republic, acting through the Department for Crime Prevention and Community Services, has carried out the following measures since 1990:

- 16,201 information events;
- Counselling for 930,694 persons about the risks and the damage resulting from drug abuse;
- 1,500 training courses for some 55,000 persons, mainly parents, teachers and health workers;
- 238 information conferences, for 16,780 schoolchildren and students;
- Referral of a total of 18,696 persons with addiction problems to health institutions for treatment and rehabilitation; and
- Creation of a national network for treatment of drug addiction consisting of public and private institutions working with this problem at the national and state levels.

Children in institutions

220. The protection and care of neglected children, orphans, and victims of ill-treatment or crime has been one of the Government's fundamental tasks in its efforts to guarantee the right of everyone to social welfare, a principle established in the National Social Assistance Act of 9 January 1986, which stipulates the obligation of the DIF system to operate social assistance establishments for neglected or unprotected children, providing them with

shelter, food, medical care, recreation, sports, training, counselling, and care and affection, as well as psychological and social assistance until they are able to lead full and productive lives in society. Their physical and emotional security must be guaranteed, and they must be offered proper opportunities for full development. And representations must be made to the relevant authorities to have their legal situation determined.

221. The Act also calls for coordination of and support for private assistance institutions and civil associations which operate establishments for the protection of children in accordance with the regulations issued by the Health Ministry in this connection.

222. Civil organizations have traditionally played a part in this area of the care and protection of children. At present Mexico has a broad infrastructure of Casas Cuna, homes, shelters and boarding establishments run by governmental and private institutions as part of the national social assistance system; they cater for neglected children, orphans and victims of physical and sexual abuse or crime.

223. Social assistance is held to mean a set of measures designed to modify and/or improve social circumstances impeding an individual's integrated development, and to ensure his physical, mental and social protection in cases of extreme need and neglect. The institutions provide education, health and training services, and recreational sports and cultural activities, together with an array of psychological and social supports which train the children to improve their self-esteem and achieve their full development.

224. The national DIF system is the government agency responsible for the promotion and provision of assistance services for children living in public or private institutions, and for guaranteeing compliance at the national level with the official technical standards laid down by the Health Ministry.

225. In the Federal District the DIF has two Casas Cuna, two reception centres and two boarding establishments, which can cater for 1,100 children. In addition, every state in the country has Casas Cuna and shelters for children in the biggest towns.

226. The main purpose of these assistance centres is to secure the children's return to their family environment as the first option, or to have them adopted, guaranteeing the right of every child to belong to a decent family. The centres provide the necessary education or training to enable the children to become self-sufficient and, on reaching the age of majority, to lead full social and productive lives. They also foster the values of self-respect and dignity, furnishing the children with the necessary information about the protection of their rights.

227. In the Federal District the Government of Mexico City provides services for children through three special operational units of the Office of Social Protection. These units have a capacity to deal with up to 800 children at any one time.

228. The Procurator's Office of the Federal District refers children requiring institutional care to establishments providing permanent shelter for children

victims of crime or ill-treatment by their family members or other persons or who are without protection while their families are undergoing preliminary investigation. There is also a temporary hostel (with a capacity of 100 children, from new-born babies to 12-year-olds), which has technical independence although responsible to the Procurator. It cares for children for a discretionary period while final arrangements are being made for their referral to a public or private institution. This hostel took in 600 children in 1995.

229. In all cases these institutions provide lodging, food, medical and psychological care, social work, education (formal instruction), training and preparation for work, and recreational, sports and cultural activities.

230. Institutionalized children are defined as children and young persons, from birth to 18 years of age, who are in especially difficult circumstances and are housed in a public or private protection or social assistance establishment.

231. The children in question are thus classified into two groups: those housed in protection or social assistance establishments because they are unprotected, neglected, orphaned, or ill-treated; and those being dealt with under the auspices of the councils for the treatment of juvenile offenders and are liable to the treatment prescribed by the Act on treatment of juvenile offenders for the Federal District in common matters and the whole Republic in federal matters.

232. The Government's purpose for institutionalized children, as set out in the PNA, is to create a national system of welfare services to guarantee the sufficiency and quality of the care provided throughout the country by coordinating the work of public, private and social institutions with a view to furnishing integrated welfare services for the neglected children, orphans, and victims of ill-treatment or sexual abuse housed in institutions, and to promote their physical and mental development by making good their deficiencies with real opportunities for social reintegration, in accordance with the rights recognized in the Convention on the Rights of the Child. The following are the specific goals:

- To provide comprehensive assistance for unprotected children who enter public, private or social institutions in order to make good the harm done to them and ensure their physical and mental development so as to give them an equal opportunity of leading full lives in the family and in society;

- To provide welfare services in public, private and social institutions, offering children a life project which must be based on humanism, ethical values and moral principles and a personal commitment to one's community and country, and furnishing the necessary education and training for personal development;

- To guarantee the quality and cover of the welfare services by promoting public and private participation;

- To take measures to prevent any kind of abuse of the children housed in the institutions;

- To educate and train the children with an eye to their future training and self-sufficiency;

- To encourage the periodic review and updating of the care arrangements for children receiving social assistance;

- To review the profiles of the professional and operational staff dealing directly with the children housed in public private and social institutions;

- To produce organizational and operational manuals for hostels, Casas Cuna, reception centres and boarding schools for children;

- To provide technical assistance and training for the professional and operational staff of the welfare units. To establish in every institution councils of local citizens or other sponsorship arrangements which will pool their efforts and resources to ensure compliance with the official standards;

- To promote an integrated system for dispensing and administering justice to ensure total respect for the human rights of the children; and

- To promote national research and the training of personnel specializing in the care of unprotected children.

233. In compliance with articles 8, 9, 18, 20, 21, 25 and 39 of the Convention, the Government has set the following priority goals:

- To promote the comprehensive care of the children receiving assistance by providing them with opportunities of education, work training, and cultural and sports activities, and to establish recreational and social centres;

- To offer the children training in how to be a human being within a framework of values which foster their personal integrity and respect for themselves and for others;

- To guarantee the legal and physical security of the children and their health and nutrition by providing the care and affection to make them feel secure, accepted and loved; and

- To make optimum use of resources in the provision of the services to promote the children's development up to age of 18.

234. The current PNA has established the following strategies and policies for the attainment these goals and targets:

- To review and update the legal situation of the children housed in public, private and social institutions with a view to their adoption in accordance with the legal and psycho-social guarantees established in the relevant legislation;

- To encourage the participation of the general public in the solution of the problems of unprotected and neglected children;

- To establish coordination machinery for the prompt completion of the legal and investigatory procedures and the referral and placement of the children;

- To ensure that all the professional and technical staff working with children in institutions are properly trained and motivated;

- To design a care model based on the official technical standards governing the programmes of institutions providing welfare services for children;

- To cater for the children entering the institutions with integrated services covering food, medical and psychological care, education, culture, recreation and sports;

- To provide the children with immediate protection until their own or their parents' legal situation is resolved, furnishing the necessary care during their stay and promoting coordination among the agencies responsible for dispensing and administering justice, with a view to resolving the children's legal situation;

- To establish a data bank for the production of meaningful statistics on the available services;

- To promote educational, cultural and recreational programmes to enable the children to upgrade their training;

- To encourage the children to develop occupational aptitudes and skills;

- To maintain a national register of public, private and social institutions providing shelter for children, in order to have a common inventory of resources and guarantee the quality of the welfare services;

- To encourage public, private and social institutions for children to hold joint meetings for discussion and analysis and formulation of proposals to support the education and training of children in care;

- To promote and conclude interinstitutional agreements to facilitate the integrated care of the children;

- To strengthen interinstitutional links to encourage civil society to assume a share of responsibility for preventing the neglect and ill-treatment of children;

- To help institutionalized children who have a family to understand their relationship with it, as far as possible, in order to offset the effects of domestic violence and family breakdown;

- To encourage the involvement of the children's families through the "school for parents" programme; and

- To ensure permanent maintenance of the infrastructure of the installations in order to provide the children with a healthy and decent environment which will respond to the needs of the population.

235. The Subcommittee on Children in Institutions is responsible for monitoring and evaluating this part of the PNA. In its 1966 progress report on the implementation of the programme it states that in the period 1990-1995 the Mexico City authorities catered for an average of 500 children a month in two operational units - the Estrella and Margarita Maza de Juárez children's homes - and supported three other homes under agreements with private welfare institutions. The Joaquín Fernández de Lizardi children's home, which has capacity of 100, operates under this latter arrangement, as do the Gustavo A. Madero and Iztacalco units, which can each cater for 70 children a month.

236. These establishments offer, for children aged 6 to 18 who for various reasons have lost or left their home, shelter, food, comprehensive medical services, including surgery and hospitalization, social work, psychological assistance, education at all levels, work training, and cultural, recreational and leisure activities. They cater mainly for orphans, homeless and street children, and children who have suffered neglect, ill-treatment or abuse. In the latter case, the children are referred by the Procurator's Office of the Federal District pending completion of the judicial investigations.

237. Since 1990 an average of 412 children have been accommodated each night in these units, and they have been offered programmes similar to those of any traditional boarding school. Between 1991 and 1994 the units assisted 4,121 children, furnishing 2,255,700 food rations and 24,726 medical treatments. In 1995, they assisted 5,151 children, furnishing 2,819,625 food rations and 340,908 medical treatments, among other services.

238. The care of children in institutions also includes occupational training in workshops producing, for example, bread, pastry goods and tortillas at the La Semilla training and production centre, and, at the Casa Ecuador, training in silversmith work and silkscreen and other printing work, using equipment donated by the national Monte de Piedad.

239. The Private Assistance Board contributed to the general rehabilitation of the buildings and facilities of both homes, funding much of the conservation and maintenance work and the provision of equipment. However, the main feature of the operation of this component of the programme has been the establishment of sponsorship trusts for the two children's homes; this has facilitated the reformulation of the care programmes and offered new opportunities for the children's development. Both trusts have sought to establish various funding arrangements, and their management work has greatly facilitated the operation of the homes.

240. The Special Advisory Council on Social Protection, made up of members of the Special Commission on Children's Affairs, has been working since 1995 to promote the policy of joint participation by society. During the period 1991-

1995 the national DIF system, through its Casas Cuna and other children's homes, assisted a daily average of 4,397 children throughout the country, providing shelter, food, clothing, educational counselling, medical and psychological treatment, social work, permanent care, and educational, occupational, cultural and recreational activities. During this same period it opened 701 substitute homes, which cared for 2,378 neglected children.

241. The Procurator's Office of the Federal District caters in its temporary shelter for children referred to the Public Prosecutor as victims of some kind of abuse or because they are in conflict with their families, and for the neglected and homeless children who are referred.

242. In addition to the usual services, the shelter provides an educational service for each level of the system, in order to equip the children with the necessary foundation for developing their aptitudes, capacities and skills. Furthermore, in order to counteract the effects of institutionalization 3,781 children were returned to their original home and family in 1990-1995.

243. Foundlings who cannot be returned to their families or referred to an institution may be given for adoption; the formalities are dealt with by the adoptions committee, which is responsible for verifying the source of adoption applications and authorizing the procedures before the competent juridical organ.

244. Other complementary activities have been developed for children living in institutions, with a view to providing them with more comprehensive protection: representations are made to the competent juridical organs, and the preliminary investigations are monitored at various stages of their progress through the regional offices of the Federal District and the state prosecutor's offices.

245. It must be stressed that the national DIF system has carried out in all the states of the country programmes similar to those operating in the Federal District to provide care for children victims of crime in shelters, Casas Cuna and reception centres run by the state DIF systems and NGO establishments which contribute to the care of such children.

Juvenile offenders

246. On the basis of the Act governing the treatment of juvenile offenders for the Federal District in common matters and for the whole Republic in federal matters, which was published in the Diario Oficial de la Federación on 24 December 1991 and entered into force on 22 February 1992, the Ministry of the Interior created the Children's Council and the Office for Preventive Measures and Treatment of Juvenile Offenders.

247. This Act is designed to regulate the work of the State in the protection of children's rights and the social rehabilitation of those whose behaviour is characterized as criminal in the criminal law of the Federation and of the Federal District; it applies in the Federal District in common matters and throughout the Republic in federal matters.

248. The Children's Council is a decentralized administrative agency of the Ministry of the Interior; it is technically independent and is responsible for

the enforcement of the legislation on juvenile offenders. It is competent to deal with acts of children aged over 11 but under 18 characterized as criminal in the criminal law; to this end it instructs the investigation, establishes the legal situation of the children, and orders and evaluates the counselling, protection and treatment measures which it deems necessary for their social rehabilitation.

249. The Office for Preventive Measures and Treatment of Juvenile Offenders is responsible for general and specific prevention measures and for measures for the social rehabilitation of juvenile offenders.

250. Juvenile justice is administered in the Federal District by two institutions:

(a) The Office for Preventive Measures and Treatment of Juvenile Offenders is the administrative unit responsible for dispensing justice to protect the legitimate rights and interests of persons affected by crimes attributed to children; it operates through its juvenile commissioners, who are legally responsible for investigating violations of the criminal law by minors and for verification of the facts of such crimes and the situation of the children accused of committing them. They also act to protect the interests of society in proceedings brought against minors presumed to have committed crimes, when they are referred to an advisory board; and

(b) The Children's Council is the organ authorized to dispense justice for minors through the advisory boards, the bodies responsible for instituting the necessary investigations and legal proceedings, in respect of children referred to them, to establish their legal situation within 48 hours; they deliver an initial decision, with a due explanation of the legal grounds and the reasons for its adoption, stating whether the child is to be prosecuted and whether he is to be kept in custody under the auspices of the Office for Preventive Measures and Treatment of Juvenile Offenders in one of its diagnostic facilities, or released to the custody of his parents, guardians or legal representatives.

251. Once the initial decision on the prosecution of the child has been taken and notified to the parties, the instruction procedure is opened: during this stage arguments may be made by the parties (defence counsel, juvenile commissioner) concerning the release of the child, and he must be ordered to undergo physical and psychological testing by the Office's technical personnel, on the basis of which an interdisciplinary technical committee prepares a technical report; on receipt of this report and the arguments of the parties, the advisory board declares the instruction closed and delivers the final decision, which states whether the facts of the alleged crime have been substantiated and whether the child took a full part in their commission.

252. If the child is found to be responsible for the alleged offence, the final decision specifies the type of measures or treatment to be applied. For the purpose of compliance with the regulations during the proceedings, the Office has two diagnostic centres, one for boys and one for girls, whose function is to produce a physical and psychological profile of the alleged juvenile offender by means of appropriate technical tests.

253. A child's stay in one of these centres is temporary and subject to a system of classification according to age, personal characteristics, and state of health. There is also a programme of training, cultural, sports and recreational activities.

254. If a child is placed for treatment in a boarding school, he will stay for a minimum of six months and a maximum of five years, depending on his or her sex and personal characteristics; he or she will receive integrated, sequential, multidisciplinary and individualized treatment.

255. The Office has four different treatment centres: one for boys and one for girls, an integrated child development centre, and the Quiroz Cauron special care centre.

256. In accordance with the regulations, the first multidisciplinary evaluation is made after the first six months in the centre and quarterly thereafter; the results are sent to the advisory board, which decides whether to confirm, modify or revoke the measures.

257. After receiving medical, psychological and educational treatment, the children follow a programme of academic education (primary, secondary and open preparatory), and there is a special primary programme for children with learning difficulties; this schooling is recognized by the Ministry of Public Education. Training, recreational and sports activities are also available for the children.

258. The law provides for non-institutional treatment for first offenders who have committed minor offences, i.e. not intentional or culpable. This treatment lasts a minimum of six and a maximum of 12 months; it may be modular, group or interdisciplinary. The family is requested to participate in order to strengthen the links of family communication and integration.

259. Another modality is the use of counselling and protection measures, aimed at children who have committed a minor violation or offence and who do not constitute a danger to society or repeat their antisocial conduct.

260. In 1994, 3,794 alleged juvenile offenders were dealt with by the Procurator's Office of the Federal District; the Office for Preventive Measures and Treatment of Juvenile Offenders dealt with 2,986 and the Children's Council with 1,695.

261. All cases of integrated treatment, both institutional and non-institutional, are followed up with a view to consolidating the results obtained; this follow-up lasts six months, during which the child is visited and interviewed by a social worker who has not been directly involved in the integrated treatment.

262. These interviews are designed to provide the children with an opportunity for feedback with respect to counselling, motivation or recognition; four basic areas are explored: family, school, work and extra-familial environment. The follow-up programme has the support of various assistance, training and educational institutions.

263. There is a further annual average of 300 children who have committed a crime abroad; their custody is ceded to the Ministry of Foreign Affairs. Crimes committed abroad are not punished in Mexico, and such custody is therefore only temporary.

264. The Procurator's Office of the Federal District also handles an average of 3,000 children a year who have no family and are released if the alleged crime is not substantiated; on the other hand, there are also juvenile offenders with physical or mental disabilities who have to be referred to social welfare institutions, but sufficient institutional facilities are not yet available to provide them with the care and attention which they require.

265. Lastly, one vitally important factor affecting this group of children is the diversity of upper age limits with respect to both welfare and criminal issues. Since according to the Convention on the Rights of the Child a person is a minor up to the age of 18, as mentioned in the first section of this report, an attempt is currently being made to unify the limits in order to bring the legislation of the Federation and the states into line with each other, as in the case of children victims of crime, and establish a uniform minimum age of criminal responsibility for the whole country.

266. The purpose of the PNA with respect to juvenile offenders is to provide assistance in as many areas as possible for children subject to prosecution or to counselling, protection and treatment measures, either in an institution or otherwise, so as to enable them to acquire worthy and productive life projects.

267. In compliance with articles 11, 16, 19, 26, 33, 35, 37, 38 and 40 of the Convention, which refer to illicit transfer and non-return, protection of private life, protection from maltreatment, social security, drug use and trafficking, the sale and traffic in children, torture and deprivation of freedom, armed conflicts, and the administration of juvenile justice, the Government has established the following priority goals for 1996 in agreement with the relevant institutions:

(a) Ministry of the Interior:

- To furnish assistance and services for 100 per cent of the children referred to a commissioner or for diagnosis or treatment;
- To provide comprehensive treatment for all children housed in the various centres;
- To maintain technical monitoring of all children who have completed treatment either in an institution or otherwise;
- To furnish counselling and support for 100 per cent of the families of children subject to treatment measures through the "school for parents" programme;
- To produce physical and psychological reports on all children subject to proceedings;

- To provide interdisciplinary technical services for all children subject to non-institutional counselling, protection and treatment measures; and

- To ensure the comprehensive review of the principle of legality, in order to improve the dispensing of justice for juvenile offenders.

(b) The national DIF system:

- To promote the standardization of state legislation throughout the country in order to establish a single upper age limit for the provision of welfare services to minors;

- To make arrangements with the Ministry of Foreign Affairs, in conjunction with the Office of the Attorney-general of the Republic and the legal offices of the state DIF systems, for repatriated children to be returned to their places of origin. The needs of these children with respect to welfare services and psychological counselling will have to be assessed, bearing in mind that the Ministry exercises only temporary custody;

- To encourage the national DIF system to provide integrated services for children involved in a contravention of the criminal law who do not have any family support and enjoy absolute liberty, or liberty subject to some legal restriction, and are referred through the competent juridical organs; and

- To encourage the national DIF system to provide care and attention for physically and mentally disabled children involved in the commission of a violation of the criminal law. In this case, as in the preceding one, the Federal District must have the support of the reception centres of the capital's government, and the state DIF systems must pool their efforts with non-governmental groups on the basis of agreements for this purpose.

268. The Government has carried out the following strategies and policies for the attainment of its goals for juvenile offenders:

- To establish machinery for negotiation and coordination with the institutions involved in the dispensing and administration of juvenile justice;

- To establish machinery for negotiation and coordination with the institutions involved in the prevention of antisocial behaviour among children;

- To carry out the preliminary investigations referred by the Public Prosecutor to the juvenile commissioners, with a view to producing the decisions, which must be accompanied by an explanation of the legal grounds and the reasons for their adoption;

- To carry out treatment measures for children, ensuring the proper application of the standards, policies, programmes and regulations governing the diagnosis and treatment centres;

- To produce physical and psychological reports on all children subject to proceedings, with a view to establishing the history of their criminal conduct;

- To make the necessary investigations to determine the participation of children in crimes and to represent the legitimate interests of society before the advisory boards in the proceedings which they conduct in respect of minors suspected of violation of the criminal law;

- To carry out the necessary medical checks to establish a child's physical and psychological state at the time of his admission and to refer children exhibiting some pathological condition to the health and social welfare institutions;

- To lodge appeals against both initial and final decisions and assessments;

- To respond immediately to reports of offences by juveniles;

- To insist on prompt delivery of the final decision so as to be able to take the legal steps for establishing the degree of involvement and the seriousness of the crime attributed to a child subject to treatment. To carry out individual technical follow-up programmes for children who have completed non-institutional treatment, and to operate the "school for parents" programme for the parents or guardians of children subject to non-institutional measures;

- To supervise the correct production of psychological, social, educational and medical reports and diagnoses;

- To produce an individual treatment plan for children subject to counselling or protection measures, or to psycho-therapeutic or psychiatric treatment, either in an institution or elsewhere, on the basis of the technical reports;

- To carry out the programmes of group, modular or individual psycho-therapeutical treatment for children subject to non-institutional counselling, protection and treatment measures;

- To establish links with welfare, health, training, educational, information, cultural and sports institutions which furnish additional support for the implementation of non-institutional counselling, protection and treatment measures and for children subject to technical monitoring;

- To produce diagnostic studies, provide integrated treatment and conduct technical monitoring for children receiving assistance in the family environment and in institutions; and

- To attend the meetings convened under the integrated treatment programme and by the Interdisciplinary Technical Council for the formulation of training programmes and to make the registration arrangements with the Ministry of Public Health.

269. The Subcommittee on Juvenile Offenders is responsible for monitoring and evaluating the programme. In its 1966 evaluation it reported that the gradual increase in the cover of the population requiring assistance in connection with the prevention of unlawful conduct was due to the fact that the counselling and support modules had been established on a phased basis; the persons receiving assistance remained in the programme for 15 weeks on average.

270. Another noteworthy fact is that none of the adolescents assisted under the programme came to the attention of the juvenile justice system, so that the programme's purpose has been achieved in full.

Assistance for juvenile offenders: numbers benefiting from preventive measures in the Federal District, 1992-1995

Year	Adolescents	Parents	Total
1992	21	20	41
1993	322	249	571
1994	1 978	826	2 804
1995	5 955	3 495	9 450

271. A total of 11,655 probable juvenile offenders were admitted by the Office for Preventive Measures and Treatment of Juvenile Offenders between 22 February 1992 and 31 December 1995; the numbers declined over the period and boys predominated over girls by a ratio of 90 to 10 per cent; theft occupied first place among the offences committed, ranging between 62.7 and 70.4 per cent, followed by offences against health and either damage to property or attempted theft.

Assistance for juvenile offenders: numbers admitted by the Office for Preventive Measures in the Federal District, 1992-1995

Year	Number of beneficiaries
1992	2 720
1993	2 989
1994	2 986
1995	2 960

272. In addition, the National Human Rights Commission produced a handbook on supervision of boarding establishments for juvenile offenders, which was distributed to the federal and state authorities exercising powers in matters of juvenile justice and to NGOs.

273. Four workshops were also held in boarding establishments for juvenile offenders, and a training programme was established with a view to enhancing self-esteem and family values and emphasizing the importance of respect for other members of society and the need for justice.

Disabled children

274. To begin with the legal standpoint, disability is not addressed or described in the civil and criminal codes either of the states or of the Federal District; and from the social and cultural standpoints, the term "disabled" has been in general use for many years without any clear specification of degrees and differences.

275. The World Health Organization reports that between 10 and 12 per cent of the total population exhibits some degree of physical or mental incapacity of sufficient seriousness to require special assistance and services. However, to date no exact or disaggregated figures have been produced. The national programme for the welfare of disabled persons and their incorporation in development carried out a survey in schools throughout the country, in a joint project of SEP, INEGI and the DIF system, which delivered more accurate data on the total number of disabled children and the types of disability; this has facilitated the formulation of more relevant and effective treatment strategies.

276. A disabled child is one who for physical, mental or social reasons requires support to interact with his environment and who, without such support, will live below his potential. Within the framework of the national programme for the welfare of disabled persons and their incorporation in development, and in conjunction with various public, private and charitable institutions, it has been possible to give disabled children access to agencies which promote their welfare and integrated development and the kind of education which enables them to attend normal schools, with the necessary supports when possible, if there are no specialized facilities where they can receive the required care and rehabilitation.

277. The health and social security and welfare agencies have introduced programmes for the prevention of disability throughout the whole of the health system, implementing coordinated measures such as the vaccination campaigns against poliomyelitis, and the accident prevention and medical and occupational rehabilitation programmes for disabled children, in the following facilities:

- 44 DIF rehabilitation and special education centres;
- 108 DIF basic rehabilitation units;
- 4 physical medicine and rehabilitation units;
- 102 IMSS physical medicine units; and
- 4 physical medicine units in ISSSTE hospitals and others in the National Health System.

278. The public education agencies have carried out major special education programmes through a country-wide infrastructure of 2,158 special education schools, but these programmes require updating with a new vision of the integration of disabled children in the schools of the regular system as part of the reforms introduced in chapter IV, section 1, article 41, of the new General Education Act, approved by the Congress of the Union and published in the Diario Oficial de la Federación on 9 July 1993, which posits the obligation of the

State to cater for persons with disabilities and special education needs and to ensure that special education is focused on integration in the regular system.

279. It has been necessary to create, update or amend federal, state and local laws and regulations to ensure that they address each and every one of the needs, rights and obligations of disabled persons, as well as the obligation of the federal, state and local authorities to tackle this problem on a comprehensive basis. The federal education, sports and customs legislation has been amended, and there are draft amendments and addenda to the Federal Labour Act in so far as it affects the disabled.

280. At present more than 15 federative entities have drafted bills on the disabled, and many of them have already been tabled for adoption in local congresses; the Federal District already has bill on the welfare of disabled persons and their incorporation in development.

281. The objective of the current PNA with respect to disabled children is to ensure that they receive integrated care by providing health and rehabilitation services, by formulating disability-prevention strategies and measures in order to assist their healthy growth and development in their families and communities, and by guaranteeing full respect for their human, social and legal rights, equality of opportunity and equity in access to education and to the sports, cultural and recreational activities which enhance their well-being and quality of life.

282. In compliance with article 23 of the Convention, which establishes the right of disabled children to have effective access to health, rehabilitation and social welfare and security services, education, training and preparation for employment, cultural, recreational and sports activities, and transport and communications, as well as to full enjoyment of their human and social rights, the Government has proposed the following priority goals as part of the national programme for the welfare of disabled persons and their incorporation in development and the PNA:

- To establish in every federative entity, with community participation, basic counselling units to expand the cover of the services for disabled children;

- To create special assistance centres for mentally disabled children cared for in the public or private sector, which will provide permanent shelter for such children when they are neglected or have no family;

- To prevent disability by means of health education lectures, early detection of disabilities, and prevention of birth defects, establishing in every federative entity a counselling module to prevent problems of this kind;

- To furnish rehabilitation services, including psychological and medical assessment, treatment and supply of prosthetic and orthotic devices and other functional supports for disabled children;

- To set up in every federative entity and in the country's 100 medium-sized towns a joint subcommittee, with members drawn from the Government and the community, for the integration of disabled children so as to provide the minimum levels of welfare with respect to health, education, culture and sports within the framework of the national programme for the disabled;

- To create a national information system to provide clear, accurate and disaggregated data by type of disability and region, with a view to the design of specific prevention, treatment and rehabilitation programmes for disabled children;

- To establish a permanent national information campaign through the mass media to make society more aware of the need for a culture of respect and dignity for disabled children.

283. The following strategies and policies have been designed for the attainment of theses goals and targets:

- To promote and support the active involvement of disabled children and their families as fundamental agents of their social integration;

- To involve the community in the diagnosis of problems of disability and the determination of needs and formulation of solutions;

- To include preventive measures in the health promotion activities, with special emphasis on reproductive health and prevention of accidents in the home, for the families of children at risk of physical, mental or social disability;

- To expand the cover of the rehabilitation services and hospital treatment, and to refocus the care approach on the social integration of disabled children;

- To establish awareness, information and counselling measures for parents and for the technical and administrative personnel working with disabled children;

- To enhance the awareness and training of the professional and technical personnel of the various public and private institutions in a culture of respect for and dignified treatment of disabled persons;

- To promote and integrate the mobilization and rationalization of public and private resources to expand and improve the efficiency of the national programme for the disabled, for the benefit of disabled children;

- To promote the comprehensive transformation of the legal and regulatory framework and consolidate its acceptance and observance at the federal, state and municipal levels, thus continuing the process of change;

- To advise the families of disabled children about their rights;

- To publicize the United Nations Draft Standard Rules on the Equalization of Opportunities for Persons with Disabilities;

- To issue and/or strengthen the Official Mexican Standard on the access of healthy disabled children to the child development and welfare agencies;

- To encourage the process of federalization in order to promote state, municipal and community action;

- To encourage scientific research and technological development in respect of disabilities and their treatment, in conjunction with the institutes of higher education;

- To encourage the public sector to involve itself in the provision of care for persons with disabilities or mental problems and to encourage the private sector by means of programmes of tax incentives and grants;

- To encourage the creation of civil associations to provide assistance services for disabled children;

- To collaborate with the specialized agencies to identify children aged under four with disabilities living with their families in rural or indigenous areas, and to refer children not attending school to the appropriate service;

- To inform the public about the risks of contracting chronic degenerative and communicable diseases as a result of habits and life-styles;

- To ensure that disability is diagnosed early;

- To provide vocational training for the staff of institutions sheltering the disabled, create rehabilitation and care centres, and train professional, technical and auxiliary staff specializing in the care of disabled children;

- To reorganize the services of the child development centres so as to facilitate the access of disabled children, and to determine the criteria for their access in the short, medium and long terms;

- To identify the special education and health infrastructure in every state, with a view to creating multidisciplinary teams to support reintegration in the school system;

- To increase the awareness of parents and guardians, the teachers and other staff of normal schools, and non-disabled children with respect to the needs of disabled children, taking advantage of the school social participation councils as ideal vehicles for securing consensus support for pupils with special education needs;

- To make the curricula of basic education for disabled children more flexible;

- To formulate a programme for the gradual encouragement of school attendance by disabled children, establishing in every state a plan to promote special education and health;

- To identify the organizations of disabled persons in every state and establish collaborative activities to support the integration of disabled children in normal schools;

- To promote disability research projects in coordination with public and private institutes of higher education;

- To promote and strengthen the sports programmes for disabled children;

- To organize artistic workshops and courses for disabled children, their parents, and special education teachers;

- To promote the legal and social reclassification of the problem of disability at the national level;

- To furnish legal assistance in all matters connected with sex crimes, neglect and maltreatment of disabled children;

- To monitor the enforcement of the Official Mexican Standard (NOM-001-ssA2-1993) which establishes the building design requirements for facilitating the access, movement and accommodation of disabled children in public, private and charitable institutions and establishments;

- To exchange experience with national and international public and private institutions with respect to the care of disabled children;

- To reach agreement with social welfare and private organizations on the establishment of care institutions and prosthetic, orthotic and functional aids workshops;

- To make optimum use of the installed capacity of schools and care and rehabilitation facilities and of their social integration functions; and

- To determine the characteristics of disabled children who may be capable of attending normal schools, in conjunction with civil associations working with disabled children, with the DIF system through its rehabilitation and special education centres, and with the Ministry of Public Education.

284. The Subcommittee of Disabled Children has established monitoring, review and evaluation mechanisms; the 1996 evaluation points out that disabled children receive high priority in the provision of care, for during the childhood years the effects of disability can be reversed, offset or treated.

285. The measures for children requiring special assistance are implemented by the health, education, social security, cultural, recreational, sports and social communication institutions and by the agencies responsible for the administration of justice, which now have the support of the national programme for the welfare of disabled persons and their incorporation in development, especially with respect to education, prevention and rehabilitation with a view to integrating disabled children in the normal school system.

286. The participation of parents in the rehabilitation and social integration work has been important for the early stimulation programmes and for securing the acceptance of disabled children. The "school for parents" has made a particularly valuable contribution, for it provides guidance and training in the supervision of exercises and prompting of responses, which increases the likelihood that a disabled child will achieve the maximum possible degree of physical improvement.

287. In the period 1991-1995 the national and state DIF systems carried out the following measures for disabled children: 15,025 talks on disability, attended by 308,025 persons; and 180,753 early detection checks for disabling conditions in new-born babies at risk or exhibiting signs of neurological or other damage, in schoolchildren and in other groups with problems of vision, hearing, language or posture.

288. The rehabilitation centres cater for an average of 224,130 children with disabling conditions. The operation of 44 large rehabilitation centres and 108 basic rehabilitation units has been consolidated, thus expanding the cover of the care and services. Individual treatment is provided in the form of medical and paramedical checks, therapy sessions, and the manufacture and repair of orthotic and prosthetic devices and other functional aids.

289. In the light of the trends observed since the formulation of the PNA, it is reasonable to assume that the problem of child disability will remain with us for the future; the Government is therefore reinforcing the preventive measures, attaching greater importance to multiple early stimulation activities and early treatment, with the active and committed participation of the family and community groups to enhance the effectiveness of the work of the institutions' specialized personnel.

Indigenous children

290. According to the figures of the 1990 census, there were 5,282,347 members of indigenous groups aged five and over, and for the first time the census recorded the number of children aged under four in families whose head spoke one of the indigenous languages: there were 1,129,625 such children, making a total of 6,411,972 for the population speaking indigenous languages.

291. However, estimates by the National Institute for Indigenous Affairs (INI) put the total at 8,701,688, but the count was not restricted by the language criterion. On the basis of these figures it is estimated that in 1995 the country's total indigenous population would have been in the region of 10 million, i.e. 10 per cent of the total.

292. The indigenous population is concentrated in the centre and south of the country, particularly in the States of Oaxaca, Veracruz, Chiapas, Puebla, Yucatán, Hidalgo, México, Guerrerd, San Luis Potosí, Michoacán and Sonora.

293. The statistical data provide a clear picture of the location and concentration of the indigenous population in the national territory. In 803 of the 2,403 municipalities which comprise the Republic of Mexico indigenous citizens account for at least 30 per cent of the population. These municipalities are home to 78 per cent of the estimated total indigenous population, i.e. 6.2 million persons; the remaining 22 per cent is scattered throughout virtually the whole country.

294. Most of these municipalities are classified as extremely marginal, with poor access to basic services, low productivity, and few opportunities of paid employment, and with a tendency to be exporters of manpower.

295. The cultural diversity of Mexico's indigenous peoples is manifested in their use of at least 59 different and sometimes very dissimilar languages and a large number of dialects. While Náhuatl is used by more than a million persons aged over five, there are only 12 recorded speakers of Opata. Only 17 languages have more than 50,000 speakers, and only six of them are used by more than 250,000 persons: Náhuatl, Maya, Zapoteco, Mixteco, Otomi and Tzeltal, which together account for 61 per cent of all speakers of indigenous languages.

296. The problem confronting the indigenous population from birth is a very specific political, social and economic one: their development is subordinated to an environment of marginalization. Accordingly, the indigenous population must be regarded as an integral part of the whole population, and the strategies for their welfare must envisage a global scheme embracing education, health, welfare, justice and community services, amongst others.

297. INI has 105 indigenous coordination centres in 23 states of the Republic, eight residential units and one rural hospital. The IMSS Solidarity Programme and the Ministry of Health are also deeply involved in health measures. The cover in this area has been clearly insufficient to provide services for the whole of the country's indigenous population.

298. Since the 1970s INI has been operating a programme of school hostels for indigenous children. In 1995 it already had 1,071 hostels in 18 states, catering for 60,000 grant-holders. The National Education System provides indigenous preschool and bilingual primary services in 23 states, catering for 921,269 children.

299. At present almost 60 per cent of the school hostels for indigenous children receive medical services under the IMSS Solidarity agreement; of the others, some 32 per cent are served by INI, and 8 per cent by the Health Ministry. INI, in conjunction with the Health Ministry's Public Welfare Office and the School of Optometry of the National Polytechnical Institute, also holds optometric health days for the indigenous population.

300. With a view to cutting the illiteracy rates in indigenous regions, the National Institute of Adult Education (INEA) and INI concluded a collaboration agreement for two training programmes, the first aimed at persons aged over 15,

and the second at the 10-14 age group. A working programme has also been established with the Ministry of Public Education on the revision of the free textbook, with a view to increasing the information it contains about the indigenous peoples and the nation's multicultural composition.

301. The purpose of the PNA in its component on indigenous children is to upgrade their living conditions and welfare, with full respect for their forms of organization, relationships and culture, with particular emphasis on improvement of their standards of nutrition, health, education and housing. The following goals have been set:

- To consolidate integrated health services for the whole population of indigenous children;
- To continue and step up the programme to combat cholera and other diarrhoeal diseases in indigenous communities to protect adults as well as children;
- To improve the coordination of the medical services of the INI hostels with the Health Ministry, state and municipal governments, IMSS and NGOs;
- To continue the coordination work with the National Vaccination Council with respect to indigenous children;
- To guarantee a timely and sufficient supply of food in the hostels. To complete the repair and furnishing of the school hostels; and
- To provide medical treatment for all the children in some 200 communities in the State of Chiapas affected by trachoma (conjunctivitis granulosa).

The Government has implemented the following strategies and policies for the attainment of theses goals and targets:

- To determine the modalities of interinstitutional coordination for the design of the programme and subprogrammes of integrated services for indigenous children living in extreme poverty;
- To organize a pilot information system to determine the scale of the task and the priority zones; and
- To establish, with interinstitutional support, special budgets for the measures to be carried out in the areas not covered by the institutions' regular programmes.

Primary health care

302. In coordination with the Health Ministry INI is carrying out promotional measures to improve the health of the indigenous population, prevent diseases and provide medical services, with special emphasis on mother and child health, epidemiological monitoring, environmental and reproductive health, and control and prevention of the diseases prevalent in indigenous regions.

303. The IMSS Solidarity Programme is continuing to provide its integrated services for indigenous children in the areas where its rural medical posts and field hospitals are located; it is also providing services in 558 school hostels, including general care, nutritional monitoring, environmental health, vaccination, and education for health. The Health Ministry and INI carry out similar measures in their respective areas.

304. In coordination with a number of federal and state agencies, NGOs, traditional practitioners, and management boards of the regional solidarity funds, INI is stepping up its primary health care programme in indigenous regions, urban settlements, and camps of itinerant day workers.

305. Malnutrition is another serious problem in indigenous areas which boosts the incidence of disease. In 1991 it was found that infections accounted for 80 per cent of the 10 main causes of illness and that 60 per cent of these infections were of the acute respiratory type, followed by ailments of the digestive system. Diseases such as tuberculosis, poliomyelitis, endemic goitre, neonatal tetanus, oncocerosis, leishmaniasis, trachoma, malaria and dengue remain common, not to mention the recent outbreak of cholera; it is necessary to attend to them under the primary health care strategy.

306. In support of the national family food and nutrition programme, INI is carrying out a programme of direct food aid for the extremely poor indigenous population and is taking part in the epidemiological nutritional monitoring programme together with other institutions and NGOs; it is constantly monitoring malnutrition levels.

307. INI provides food aid through the family food and nutrition programme, as part of an integrated approach to health education, in the 117 municipalities requiring immediate assistance, where it has carried out, in conjunction with DIF-SEDESOL, a nominal population census which will reveal the impact of the food aid on the people's nutritional standards; it is also stepping up measures to enhance the effectiveness of the nutritional monitoring of the children in the indigenous school hostels.

308. The INI radio broadcasting network provides a communications service for 20 ethnic groups - a total of about four million persons. Its 15 stations help to improve living conditions by putting out regular programmes on education for health, nutritional guidance, disease prevention, hygiene and cleanliness, disposal of wastes, etc.

309. The 1990 census showed that in districts with 30 per cent indigenous population fewer than 80,000 children aged five were attending school and 107,000 were not; 74 per cent of children in the 6-14 age group were attending school.

310. A national programme will have to be introduced for the coordination of indigenous education to guarantee access to the various levels of education and to provide bilingual and bicultural schooling and grants for indigenous students in secondary, higher-secondary and higher education.

311. It has been decided that measures should be taken to give the whole population of the indigenous school hostels the full set of vaccinations. This

is the result of coordination between the Health Ministry, the IMSS Solidarity Programme and INI.

312. The monitoring and evaluation of the programme for indigenous children is the responsibility of INI; it uses quantitative indicators based on the actual numbers reached through: interinstitutional health days in the community; measures to eradicate infectious and contagious diseases; vaccination campaigns; provision of services and equipment in school hostels; and interinstitutional coordination and agreements.

313. In connection with the qualitative evaluation of the programme, it must be pointed out that the services are comprehensive and permanent, so that the expected results will be seen only in the long term. The more immediate evaluation will be made in terms of a reduction in the incidence of malnutrition and infectious and contagious diseases, and of an improved literacy rate, i.e. the results of all the measures which support and facilitate the integrated development of indigenous children.

314. The 1996 evaluation reported on the attention given by INI to indigenous children, consisting mainly of health, education, food and basic sanitation measures, for which it has an infrastructure in 23 states providing services for 59 ethnic groups in 1,000 municipalities and 9,500 districts: 96 indigenous coordination centres, 1,081 indigenous school hostels, and three training centres, as well as 14 broadcasting stations transmitting in various languages.

315. The following are some of the more important measures carried out by INI in 1990-1995:

- Health care programme: monitoring of the growth and nutrition of under-fourteens; production of morbidity and sanitation indices; education for health; and promotion of productive activities and training in the food service in the hostels;

- Grants/hostels programme for children of school age: support for basic education in scattered and remote communities; provision of three food rations a day, which encourages more indigenous children to come to school; on average a total of 65,000 children are helped every school year;

- Programme of direct food aid for extremely poor indigenous communities: provision of family rations, referral of malnourished children, and health care for children and pregnant women; assistance is given on average in 250 districts in 15 states;

- Programme to strengthen coordination between institutions and sectors: expansion of the cover of the services for indigenous communities by means of several programmes of collaboration between INI and other institutions;

- Programme of support for second and third level medical care: in addition to the provision of the service itself, assistance is given with travel, food, lodging, medicines, and laboratory and consulting room tests in the country's main towns; and

- Programme of emergency measures in indigenous areas: this programme operates in parts of the country regarded as disaster areas owing to epidemiological risks, weather conditions, natural phenomena, or economic, social or political conflicts.

316. It is not easy to quantify the amount of work involved in the implementation of these measures, but it is thought that, on average, services are provided every year for some 3,000 districts with a total population of about one million persons. The social impact of the measures will be felt in the medium and long terms, although each measure does solve immediate problems and lays the basis for a permanent reduction of other obstacles to the proper growth of indigenous children. Every effort made has a positive impact on the goal of ensuring that the children of these areas enjoy ever better conditions of development on an equal footing with the rest of Mexico's population.

Children of itinerant workers

317. The statistics on the phenomenon of the proletarianization of the Mexican farm worker indicate that 32 per cent (1,700,435 persons) of the economically active population in the agriculture and livestock sector earn their living as day labourers. When a further 36.8 per cent (1,900,000 persons) consisting of farmers with five hectares of land or less, classified in the census as own-account workers, is added to this figure, the proportion of economically active persons in the countryside working for wages totals 69.6 per cent, i.e. about 3.6 million workers.

318. The itinerant population consists mainly of young people - more than 70 per cent are aged under 30. Thus, children of itinerant workers constitute a large proportion of the population of day labourers in agriculture: about 40 per cent of this population consists of children under 14.

319. The difference in geographical location between small farm production units and those of commercial agriculture causes the migration of large numbers of landless workers and smallholders, who leave their home districts for the fertile valleys of commercial agriculture. But there is a general tendency for day labourers to settle there, owing to the need for stability and secure employment.

320. There are various reasons for the migration of day labourers: one reason is economic, for if the whole family takes up itinerant work, its income is three or four times more than what one member could obtain; another reason is the saving in family maintenance costs, although only the father can be formally employed, as a cane cutter for example, and his children, depending on their age, work as his helpers.

321. The persisting problems of these groups can be summed up as follows: precarious housing, lack of basic services such as drinking water and sanitation, and an unhygienic environment; poor purchasing power, which limits access to an adequate diet; and few opportunities of access to education and health services. This situation is due mainly to their ignorance of their rights and to the working conditions to which they are subjected.

322. Where education is concerned, there exist programmes which are being adapted to the needs of the itinerant life and of the ethnic groups who lead it, but it is still difficult for the children to complete full levels of education or even school years, or to obtain accreditation if they cannot produce a birth certificate. It is also harder for children living in these circumstances to go to school because the needs of the family force them to start work at the age of eight.

323. Itinerant day labourers are found almost everywhere in the country, but some of the states need them in greater numbers because they raise the most profitable crops, which require a high man/day ratio per hectare. The States of Guerrero and Oaxaca are among the main exporters of itinerant labour.

324. The families of day labourers move to farming areas where large volumes of labour are required for the commercial crops, mainly to Baja California, Baja California Sur, Sinaloa and Sonora. Many such workers, however, travel around within a single state; this happens mostly in Durango, Puebla, Veracruz, Hidalgo, Morelos and San Luis Potosí.

325. As a result, the children who benefit from the measures described in this section are extremely poor; they are children of itinerant workers and they themselves work to boost the family income.

326. These children are reached by means of measures coordinated with federal, state and municipal agencies and offices and concerted action with the private and social sectors under the national day labourers programme, with aim of improving the living and working conditions of the workers and their families.

327. In compliance with articles 8, 10, 18. 19, 24, 27, 30, 31 and 32 of the Convention, the following goals have been set in the PNA:

- To increase the access to decent housing and basic services;
- To eliminate the environmental factors having an adverse impact on health;
- To improve the standards of nutrition and the access to food at the right time, of good quality, and at affordable prices;
- To upgrade the medical care and reduce mortality;
- To increase the access to education in conditions adapted to the needs and characteristics of day labourers;
- To reduce the problems of cultural, social and family disintegration; and
- To improve social security and employment.

328. The Government has implemented the following strategies and policies for the attainment of the goals and targets set in the PNA:

- To formulate approaches, programmes and measures tailored to the needs of the families of day labourers, within the context of an integrated approach and methodology;

- To mobilize and coordinate the participation of society and of the relevant institutions and agencies in the general implementation of the programme;

- To generate productive processes which create jobs and improve the incomes of day labourers and their families;

- To promote the amendment of labour legislation and social welfare regulations to benefit day labourer families; and

- To promote the participation of these workers and their organizations in measures to improve their living and working conditions.

329. Housing and environmental health. To improve housing and basic services; and to carry out awareness and information campaigns on the disposal of excreta and wastes, on the whitewashing of houses, and on the maintenance of sanitation and drinking water services.

330. Food and supplies. To improve the nutrition of day workers, in particular children, women and the elderly; and to consolidate the food and supplies programmes for these families.

331. Health and social security. To establish and evaluate the condition of the health of itinerant farm workers; to advise the itinerant population about the care of their health during their travels and when they arrive at the work sites; to tackle the health problems of the itinerant population on their return to their own communities; and to provide integrated health services for them, especially with respect to monitoring the growth and development of the under-fives, antenatal checks for pregnant women and obstetrical care during delivery by qualified staff, family planning, especially in situations of high reproductive risk, and vaccinations for the under-fives.

332. Education, culture and recreation. To promote the creation of an infrastructure of educational and recreational services; to expand the educational services for itinerant children, incorporating the efforts of various institutions; to assist the adult population, with emphasis on literacy; to promote cultural and recreational activities which will restore the status of traditional activities; and to operate nurseries and children's centres where the programme will act as a support for the mothers.

333. Employment, training and productivity. To improve the performance of farm workers by means of training; and to promote production projects in their home districts to help the itinerant population to remain there.

334. Dispensing of justice. To seek adequate means of dealing with the lack of documents such as birth certificates and vaccination cards; and to promote awareness and protection of human rights.

335. The Subcommittee on the Children of Day Workers has established mechanisms for monitoring, review and evaluation. The 1996 evaluation reported that in 1995 the national day labourers programme (PRONJAG) assisted 309,328 persons, including 123,695 children under 14. This population was located in 690 work units in 157 municipalities in 12 states.

336. In 1995, 82 nurseries were operated in the enterprises employing the workers, and services were provided for about 5,000 children of itinerant workers. These nurseries were run by the state DIF systems and the volunteers working under the programme for malnourished children in Culiacán, Sinaloa, the state which attracts most itinerant day labourers from other states of the Republic.

337. The population catered for by PRONJAG has benefited from integrated services for the family, especially the children aged under 14, who are estimated to represent 40 per cent of the total itinerant population receiving assistance. In addition, 3,574 projects are in progress, including 921 enjoying direct investment under the programme and 2,653 funded jointly by the institutions involved.

338. Another important development working in favour of the itinerant population was the establishment of interinstitutional coordination machinery for the provision of health care and social security for itinerant day labourers, following the appeal launched in April 1995 by the representatives in Mexico of the Pan-American Health Organization, WHO, ILO, the Ministry of Labour and Social Welfare, the Ministry of Social Development, IMSS, the IMSS Solidarity Programme, INI and the National Water Commission through the programmes and services run by the corresponding units of each of these bodies.

339. Attention must also be drawn to the considerable education effort made through this coordination machinery, in conjunction with the Ministry of Public Education, in the 12 states in which the programme operates.

Itinerant and child population assisted in 1995

State	Itinerant population	Child population
Baja California	30 018	12 007
Durango	20 987	8 395
Guerrero	9 413	3 765
Hidalgo	1 577	631
Morelos	4 023	1 609
Nayarit	8 656	3 642
Oaxaca	49 408	19 763
Puebla	4 035	1 614
San Luis Potosí	2 890	1 156
Sinaloa	125 585	50 234
Sonora	16 145	6 458
Veracruz	36 501	14 600
Total	309 238	123 695

Repatriated children

340. The wide gap between the levels of economic development of Mexico and the United States of America, the consequent disparities between the two countries in the supply, demand and remuneration of labour, and their long land frontier, which includes seven Mexican states, have for decades prompted a migration of Mexican workers: they certainly earn more money, but the employers in the United States also benefit.

341. A large proportion of the current flows of migrants consists of children without documents; owing to the irregularity of their entry or the infringement of some law they may be deported by the United States authorities. These repatriated children, unless they are returned to their families or referred to a welfare agency, are left vulnerable to many kinds of abuse.

342. The repatriation of Mexican children found in the United States with or without documents is a problem which has to be dealt with by the Ministry of Foreign Affairs in conjunction with the DIF system, the Ministry of Health, the Ministry of the Interior and various NGOs.

343. Since most of the crossings by children occur at the frontier points of Tijuana-San Diego, Ciudad Juárez-El Paso, and Nuevo Laredo-Laredo, the government authorities on both sides of the frontier have introduced arrangements to protect the children's legal, physical and emotional integrity.

344. These measures have produced information about the children's main states of origin and their sex, age and reasons for crossing. Notwithstanding the location of the frontier, the main states of origin are Jalisco, Sinaloa, Sonora, Guerrero, Michoacán, Guanajuato, Oaxaca, Zacatecas and the Federal District.

345. It has also been determined that 80 per cent of these children are boys and 20 per cent girls; that 51 per cent are aged 12 to 15, 46 per cent 16 to 17, and 3 per cent under 11; that most of them, in view of their age, have only primary education; and that the main reasons for their move are the search for work and family reunification. Most of the repatriated children are from dysfunctional and in many cases broken families. Many of them are from families which have been brought back together after break-up but in which relations often remain hostile, with frequent instances of violence and abuse, so that the children travel to the United States seeking the support of relatives or friends and an opportunity to earn a living.

346. On the basis of this information it is considered that increased economic growth and job creation in the marginalized areas which export migrant children will have a proportionate disincentive effect on their wish to move to the United States and will eventually reduce the number of children having to be repatriated because they have no documents or have violated United States law.

347. It is also considered that if more work is done with adolescents in their home districts the repatriation problem will diminish, for it is precisely the 12-17 age group which produces most of the migrants.

348. The Mexican Government has established in the PNA the goal of providing care and support for repatriated children through measures involving hostels and social welfare institutions before they are transferred to their places of origin.

349. In compliance with article 11 of the Convention, which provides that States parties shall take measures to combat the illicit transfer and non-return of children abroad and promote the conclusion of bilateral or multilateral agreements or accession to existing agreements, the following priority goals have been established:

- To compile comprehensive and constantly updated information which will provide a quantitative and qualitative picture of the problem of repatriated children;

- To promote machinery for bilateral implementation of arrangements for caring for repatriated children, with the participation of the Interior and Foreign Ministries and the national DIF system;

- To conclude agreements between governmental and private agencies for providing temporary shelter and social assistance for these children;

- To identify the towns and municipalities from which children migrate in the federative entities in which the phenomenon occurs.

350. The Government has implemented the following strategies and policies for attainment of the goals and targets set in the PNA:

- To establish and operate a system of registration and control of repatriated children which will reveal the scale and characteristics of the problem at each frontier crossing-point;

- To promote the creation of machinery for the repatriation of Mexican children which will enable the United States authorities and Mexico's consular offices to deliver children repatriated through the migration agencies of the frontier states concerned directly to their families or to previously designated public or private welfare institutions;

- To establish machinery for coordination with public agencies and private and non-governmental organizations for the provision of comprehensive care for repatriated children;

- To promote regional meetings of the agencies and organizations involved in the care and monitoring of repatriated children in order to establish the scale of the problem;

- To publicize the problem among the agencies and organizations responsible for promoting community development, with a view to improving the standard of living in the areas from which the children leave;

- To ensure the continuity of the preventive measures carried out under the Paisano programme and by the offices of the Ministry of Foreign Affairs in the interior of the Republic;

- To discourage children from moving to the United States by means of concerted action with other agencies operating economic growth and job creation programmes in the marginalized areas abandoned by the children;

- To establish a machinery for coordination with the national DIF system in order to monitor repatriated children through the state DIF systems;

- To strengthen the assistance services provided for repatriated children by Mexico's consular offices;

- To hold annual interministerial meetings to assess the progress made;

- To hold meetings twice a year with Mexico's consular offices to assess the benefits achieved for the children as result of the programme's activities; and

- To hold meetings twice a year with the frontier states, the Ministry of Foreign Affairs and the Ministry of the Interior in order to monitor the assistance programmes operated in Mexico by other public, private and social agencies for the benefit of repatriated children.

351. In its 1996 report the Subcommittee on Repatriated Children stated that in compliance with the commitments undertaken by Mexico at the World Summit for Children the Ministry of Foreign Affairs had repatriated large numbers of Mexican children detained by the United States Immigration and Naturalization Service for entering the country without documents.

352. Children may be arrested in this way anywhere in the United States, they are usually repatriated through the Mexican consulates at the frontier, for this is the location of the expulsion points to which the United States immigration authorities deliver Mexicans entering the country without documents.

353. In the period 1990-1995 a total of 185,103 Mexican children were repatriated through Mexican consulates in the United States. It is important to point out that from 1994 there has been a drop in the number of repatriations in comparison with the preceding years. In addition, more children are being repatriated through the consulates in El Paso, Caléxico, Laredo, San Diego and Brownsville.

354. For the purposes of monitoring the children repatriated through Mexican consulates, the Foreign Ministry has established contacts with a number of DIF offices, both in Mexico City and in the interior of the Republic, to verify whether the children in question have rejoined their nuclear families.

Refugee children

355. Refugee children make up a large part of the Guatemalan population settled on Mexico's southern frontier, mainly in the States of Chiapas, Campeche and Quintana Roo. It is estimated that more than 50 per cent of the refugees are children born on Mexican territory.

356. In 1995 the Mexican Commission for Aid to Refugees (COMAR) provided help for 33,862 Guatemalan refugees, including 19,658 who settled in Chiapas, 10,005 in Campeche and 4,119 in Quintana Roo (58.05, 29.54 and 12.40 per cent respectively); more than 50 per cent (16,014) were aged 14 and under.

357. The main purpose of the assistance furnished to the children is to safeguard their physical and mental health by providing health and education services; it is particularly important to reduce the infant mortality and morbidity rates. In this context COMAR, in conjunction with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the health agencies of Chiapas, Campeche and Quintana Roo, has carried out various measures to improve family health and welfare, including:

- Vaccination of 13,354 persons between January and August 1995;
- With the support of the civil registry offices of Chiapas, Campeche and Quintana Roo, documentation of most the refugees born in Mexico; in 1995, 11,515 already had their birth certificates, and a further 7,806 certificates were issued; and
- In coordination with a number of public and private institutions, COMAR has sought, as one of its assistance priorities, promotion and support of the various levels and modalities of education for the refugee population. In the 1994/95 school year, assistance was provided for 1,152 children in preschool facilities, 6,410 in formal primary, 147 in secondary, 60 in extramural secondary, 49 in preparatory, and two in vocational education.

358. The open system catered for 121 children in primary, 506 in secondary, 23 in preparatory, and 142 in literacy programmes; 295 student grants were awarded.

359. COMAR also distributed free basic education textbooks provided by the Ministry of Public Education to 11,000 refugee children of school age living in the three states.

360. Up to 1995, 1,903 statements of education had been issued to refugee children who decided to return to their country of origin, 95 certificates were awarded, and 287 records of children who graduated from the various schools run by COMAR are currently being processed by the Education Ministry.

361. In order to provide the necessary services for the refugee children, the Mexican Government established in the current PNA the objective of ensuring that they receive assistance tailored to their circumstances to guarantee them the highest possible levels of physical, emotional, social and mental well-being, with a view to the full development of their personalities and sense of dignity, on an equal footing with Mexican children.

362. In compliance with article 22 of the Convention, which provides for special protection for refugee children or children seeking refugee status, and for the obligation of the State to cooperate with the relevant bodies to protect and assist such children, the Government has established the following priority goals:

- To reduce infant mortality and morbidity;
- To improve standards of education so that the refugee children will have better opportunities of reintegration in their country of origin;
- To bring children born to refugees in Mexico within the scope of the legal system which governs the lives of all Mexicans, and to guarantee all the rights of such children; and
- To promote conditions of housing and health which will have a beneficial impact on the well-being of the population and on community development.

363. The Government has implemented the following strategies and policies for full attainment of the PNA goals and targets for refugee children:

- To coordinate activities with the agencies providing permanent organized health services for refugee children and to provide training and further training for health workers, with a view to reducing the incidence of communicable diseases and ensuring the early detection of chronic degenerative diseases;
- To upgrade the education standards of the refugee population without undermining their customs and to encourage bilingual education with the help of texts which emphasize dedication to the traditions of their ancestors, thus preventing transculturation and making it more likely that the refugees will want to return to their country of origin; and
- Strengthening social participation in the various programmes on the basis of self-organization by the refugees themselves.

364. Health:

- To provide the basic set of vaccinations for under-fives;
- To reduce child malnutrition by encouraging breastfeeding, carrying out awareness campaigns on the importance of an adequate diet, and holding food counselling talks;
- To distribute megadoses of vitamin A in order to reduce the incidence of respiratory infections and malnutrition;
- To monitor pregnancies, deliveries and the post-partum period;
- To provide family planning advice;

- To step up the campaigns for prevention of gastro-intestinal ailments and improve community health by promoting cleaner latrines, distributing the necessary materials (lime), and increasing the chlorination of wells; and

- To train health workers to provide dietary counselling, with emphasis on cultivation of family fruit and vegetable plots, livestock and the raising of small animals, domestic techniques using local resources, and proper preparation of food.

365. Education:

- To implement the preschool and primary programme in coordination with the education agencies of the States of Chiapas, Campeche and Quintana Roo;

- To implement the programme of non-formal education at all levels; and

- To encourage job training for personal development.

366. Documentation:

- To conclude collaboration agreements with the civil registry offices in each state;

- To carry out birth certification and registration campaigns;

- To accord legal status to refugees born in Mexico.

In accordance with the established monitoring, review and evaluation arrangements, the Subcommittee on Refugee Children produced an evaluation report in 1996 in which it stated that COMAR had carried out the following measures through its programme of special attention for refugee children, who represent 55 per cent of the total refugee population in Mexico, most of them born on Mexican territory:

367. Health:

- The campaigns to improve community and family health have been intensified, and this has been reflected in a sizeable drop in mortality and morbidity rates;

- Permanent campaigns are operated in the refugee settlements to prevent diseases, expand the vaccination cover, upgrade the hygiene of latrines, and improve family, reproductive and community health;

- There is still insufficient infrastructure and equipment for COMAR offer second and third level consultations in its clinics.

368. Education:

- The expectation of an eventual return to the country of origin and the need to contribute to the family income are factors affecting performances in the COMAR schools for good or bad;

- COMAR provides textbooks, grants and teaching materials;

- Assistance is received from the Bernard Van Leer international institution, which funds the initial education and literacy programme of the Teaching Mothers for under-fours; and

- An attempt is currently being made to bring the COMAR schools under the aegis of the education ministry in each state.

369. Documentation:

- Children born to refugees in Mexico have been accorded the same legal status as all other Mexicans, and the basic aim is to guarantee them the same rights since they will eventually take their place in Mexican communities; and

- In conjunction with the civil registry office in each locality, teams have been established to certify current births and issue backdated birth certificates.

370. In 1996 a number of measures were taken by the governments of Campeche and Quintana Roo to expand the community infrastructure and incorporate the refugee settlements in the life of the state.

371. Furthermore, as part of their efforts to encourage voluntary repatriation the Governments of Mexico and Guatemala have established coordination machinery, in conjunction with UNHCR, to facilitate the repatriation and economic reintegration of refugees wishing to return home.

372. In addition, in order to facilitate the incorporation of the refugee population in regional development and promote their integration after a sojourn of 15 years in Mexico, a regularization programme has been introduced with the aim, among other things, of offering the parents of refugee children born in Mexico the possibility of remaining in the country with their children, if they so request.

373. The National Migration Institute (INM) and COMAR are implementing a plan for stabilization of the Guatemalan refugees. The basic principle of this plan is to continue to give priority support to voluntary repatriation but at the same time to facilitate the gradual integration in the local district of refugees who so request.

374. In this new stage COMAR is arranging to change the status of refugees who so wish, as envisaged in the General Population Act, from non-immigrant to immigrant with FM-2 status. For those who wish to return to their own country, INM can renew their current FM-3 non-immigrant status until their return takes place.

375. Either status allows the refugees to move freely throughout Mexico and, if they wish, to engage in activities for profit or remuneration. In addition, the Ministry of the Interior offers refugees who have children born in Mexico or are married to Mexicans the possibility of obtaining Mexican nationality in accordance with preferential procedures.

Programme of care for adolescent mothers

376. On the basis of the provisions of the Convention on the Rights of the Child and the commitments undertaken by the Mexican Government at the World Summit for Children concerning the importance of giving priority attention to the reproductive health problems of adolescent girls, the national DIF system regards the start-up of the programme of care for adolescent mothers as one of the priority projects in its assistance work for the most vulnerable groups.

377. This programme is a response to the pressing need to tackle the problem of early pregnancies through a comprehensive approach which will unite the efforts being made by government institutions under the current PNA, which regards reproductive health and family planning as strategic axes of the country's social development.

378. Considerable progress has been made in family planning over the last two decades. A significant reduction has been made in the fertility rate: in 1970 a woman bore an average of 6.6 children but by 1990 the figure had fallen to only 2.9. Furthermore, the implementation of mother and child care programmes has been a key factor in cutting the infant, maternal and perinatal mortality rates.

379. Although there has been a decline in adolescent pregnancies, the number of unplanned pregnancies remains high, and many of them are unwanted too. At present the national average age for the first union is 19, and some 455,000 births to mothers aged under 20 were recorded in 1993, representing 16 per cent of all births. This means that in Mexico one in every five children is born to an adolescent mother.

380. The lack of sex education, reinforced by religious and cultural precepts, has been a decisive factor. Although the use of contraceptives by sexually active adolescents has increased, it is estimated that only 36 per cent of women aged 15 to 19 living in a relationship use contraception. An early first birth has an impact on fertility throughout a woman's life; according to the findings of recent demographic surveys, women who have their first child before the age of 18 will have an average of 6.8 children over the next 20 years.

381. Both early pregnancy and close spacing of births cause complications during pregnancy and delivery and in the post-partum period, as well as ailments in the pregnant woman and her child, which have an impact on their nutritional state and may cause functional problems or even death. An unplanned pregnancy has an enormous impact on an adolescent's health, as well as giving rise to problems of education, self-esteem, development and independence.

382. In this context, the DIF system has introduced care arrangements addressing two main areas:

- Education programme for adolescent mothers operated principally in hospitals; and

- Adolescent mothers' clubs, which function as self-help groups in the DIF centres with a view to promoting the development of the mothers and their children by means of measures to improve the quality of life of the girls and their families.

383. The programme is aimed at girls and women aged 13 to 20 living in urban and suburban areas in the 31 states of the Republic who, because they are of childbearing age but have had no sex education, are highly likely to become pregnant. It is also aimed at pregnant adolescents and those who are already mothers.

384. The specific goals are:

- To prevent early pregnancies by means of concerted campaigns to increase the whole population's awareness of the problem;

- To encourage the establishment of adolescent mothers' clubs as a means of self-help;

- To provide a basic package of measures to support the development of the mothers and their children and their family and social integration;

- To provide opportunities for education, job training and productive projects to improve the living standards of the mothers and their children;

- To conduct research into the realities and challenges of adolescent motherhood; and

- To prevent sexually transmitted diseases.

VI. REPORTS OF ILL-TREATMENT, ABUSE AND VIOLENCE AGAINST CHILDREN

385. As mentioned in the preceding section, the Government has undertaken a number of programmes with the aid of various ministries and NGOs to respond to reports of violation of the human rights of children. The Office of the Attorney-General of the Republic and the state procurator's offices, the National Human Rights Commission and the state commissions, and the national and state DIF systems attend to complaints and reports of abuse, ill-treatment and violence in the family inflicted on children, especially members of vulnerable groups such as disabled, indigenous and street children.

386. The National Human Rights Commission intervenes in cases of administrative violations affecting an individual or a group committed by a public authority or servant or by other persons rendered immune by the consent or tolerance of a

387. Following the creation in 1994 of the National Commission's coordination unit for the programme on women's, children's and family matters, 208 complaints of alleged violations affecting children were processed up to May of that year. The main types of violation were: medical negligence (41 cases); poor or inefficient care or failure to provide care (40 cases); violation of the rights of the child (40 cases); violation of the right to education (23 cases); inadequate medical treatment (9 cases); arbitrary arrest (9 cases); lack of medical care (6 cases); abuse of authority (6 cases); substantive legal matters (5 cases); tardy dispensation of justice (8 cases); injury (3 cases); denial of the right of petition (3 cases); false accusation (3 cases); denial of justice, non-enforcement of decisions, sentences or awards (2 cases); irregular conduct of preliminary investigations (1 case); lack of legal basis or grounds (1 case); sexual abuse (1 case); conflicts in labour relations (1 case); threats (1 case); illicit non-return (1 case); forced or involuntary disappearance (1 case); murder (1 case); and invasion of land (1 case).

388. Up to that same date, May 1996, the National Commission had completed 152 cases of complaints of violation of the human rights of children. Between 1 and 31 December 1996, proceedings were initiated in 145 children's cases and 103 were completed: medical negligence (65 cases); and civil service irregularities 80 cases).

389. Between May 1996 and May 1997 it received 67 complaints of alleged violence against children, making, together with the 56 being processed from the preceding period, a total of 123: violation of the rights of the child (18 cases); health agency irregularities (12 cases); abuse of public authority (6 cases); civil service irregularities (3 cases); bribery (1 case); violation of the freedom of movement and residence (1 case); false accusation (1 case); and denial of justice (1 case).

390. The coordination unit for the programme on women's, children's and family matters received 85 complaints between June and August 1997; the following were the main types of alleged violation: non-provision or inadequate provision of medical services (42 cases); violation of the rights of the child (8 cases); inadequate provision of public education (17 cases); and abuse of public authority (7 cases).

VII. PUBLICIZING AND PROMOTING THE CONVENTION ON THE RIGHTS OF THE CHILD

391. The National Human Rights Commission and the national DIF system, in coordination with UNICEF and other government agencies and NGOs, systematically publicize and disseminate information about the rights of the child recognized in the Convention through a number of publications and media promotions, with a view to making both children and adults more aware of the importance of recognition of and respect for these rights.

392. The Ministry of Public Education has included the study and analysis of children's rights in the free textbooks supplied to primary schools throughout

393. La Casa del Arbol is a children's centre for human rights, especially the rights of the child. Using educational materials, and almost as play, the children visiting the centre learn what their rights are, their importance, and why they must be respected, so that they come to understand the responsibilities and benefits which these rights entail.

394. In addition, in connection with the federal elections on 6 July 1997 the Federal Election Institute and UNICEF undertook an information and publicity campaign on children's rights, which also served to promote civic education and children's participation in securing the exercise of the rights of the child. The first children's election ever held in Mexico ("Democracy and children's rights: the elections are for us too") gave almost four million children an opportunity to cast their votes, freely to express their views, and to share in the experience of voting for the right which they regarded as most important for them.

National Human Rights Commission

395. The National Commission is implementing the Convention in Mexico through its programme on women's, children's and family rights. The programme's coordination unit has concentrated its efforts on the protection of the children's rights set forth in the Convention and their dissemination among children and adults throughout the country. It has undertaken the following measures to protect and publicize children's rights:

- It produced a video entitled "The National Commission and the protection of children", designed to ensure that the whole of society recognizes the status of children as subjects of law and ceases to regard them merely as the targets of official programmes and policies; this video was distributed free of charge throughout the country;

- A collaboration agreement was concluded with the national DIF system to facilitate the optimum use of the technical and financial resources of the two organizations for monitoring and protecting the rights of the child;

- On the basis of this agreement they produced a new edition of the booklet "We have rights!", which contains information on children's rights (annex VII);

- The National Commission held its 1996 children's rights poster competition;

- It produced a pamphlet to publicize the Convention which contains the text of 45 of the 54 articles and explains the care and assistance required by this vulnerable section of the population;

- It distributed a leaflet entitled "Our human rights", which discusses children from the standpoint of their needs and rights (annex VIII);

- It produced and published a study on amendments required in the civil, family and criminal law in order to tackle the problem of domestic violence, which seriously affects Mexican children; and

- From May 1996 to September 1997 it held 151 courses and workshops on human rights and children totalling 661 hours and drawing an attendance of 13,998.

396. The National Commission has publicized the rights of Mexican children through the mass media - press, radio and television. It produced 30 theoretical articles on the topic, together with 48 radio programmes and two television documentaries (annex IX).

397. Being convinced that a knowledge of human rights must be encouraged in the home, school and social environment in order to generate a human rights culture among all members of the family and society, the National Commission signed an agreement with the National Parents Association for pooling their efforts and resources for the promotion and reinforcement of programmes and measures which they carry out within their respective spheres to develop a human rights culture; they are also pooling efforts and coordinating activities to eradicate the subculture of violence and promote a new culture of respect for human rights.

398. In coordination with the National Parents Association, the National Commission organizes meetings, conferences, round tables, seminars and workshops to provide information and counselling on human rights for parents and children, teachers and pupils, with the participation of experts and public officials. Training is also provided for organized groups of parents with a view to their becoming multipliers, and joint promotion and publicity measures are carried out, putting across messages and distributing information materials on the radio and in the press, and by means of pamphlets and competitions to promote a human rights culture.

399. The National Commission has also signed agreements with the Department of the Federal District and UNICEF for collaboration on the printing of 500,000 copies of the pamphlet "What is domestic violence and how can it be checked?". The Department of the Federal District has undertaken the mass distribution of this pamphlet through the Civil Registry Office so that couples getting married or registering a birth can be made aware of the problem and how to combat it.

400. The National Commission's publications are designed to consolidate a culture of respect for the human rights of children (annex X).